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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 1 — NEW YORK, U. S. A., THURSDAY, JANUARY 2, 1941 — TEN CENTS

Ascap, BMI Policing Air In 'Total War'

Last Minute Rush Brings Stations to Both

Radio's "total air war" in the music situation over the New Year's holiday was featured by "policing" of the airwaves by Ascap and BMI for unauthorized music performances after the break with the society became official at midnight Tuesday.

In Milwaukee, District Attorney Hustings said Federal grand jury action may be dispensed with in the Government's planned criminal action against Ascap, BMI, NBC and CBS so that an information may be filed with the court.

The approach of the zero hour was featured by a last minute rush by stations all over the country to align themselves with Ascap or BMI. Many held off to the last possible moment, hoping that a settlement might either result in better terms or obviate the necessity of taking sides in the bitterest battles the radio industry has faced.

At a late hour Tuesday, BMI reported that 674 stations, including

(*Continued on page* 8)

Clearance Due for Early Arbitration

Clearance complaints are expected to be the first to be filed for hearing by the industry's new arbitration boards when they begin functioning at the end of this month or early in February. Exhibitor inquiries as to the earliest time at which such complaints may be filed already have been re-

(*Continued on page* 6)

Famous Players Distributes Bonus

Toronto, Jan. 1.—According to an announcement at the close of 1940, all home office employes of Famous Players Canadian Corp. will receive a salary bonus equivalent to two weeks' pay. One year ago officials and other members of the staff were given one week's extra pay.

New Block Booking Measure Foreseen In 1941 Congress

By BERTRAM F. LINZ

WASHINGTON, Jan. 1.—A possible new effort to obtain block booking legislation was foreseen in Washington tonight as the 77th Congress prepared to convene Friday for what may be one of the most momentous sessions in the history of the nation.

Reports were current that exhibitors dissatisfied with the provisions of the consent decree in the New York suit were preparing to launch a drive for legislation definitely outlawing multiple film sales, but with the expected retirement of Senator Matthew M. Neely to become Governor of West Virginia there is some doubt whether a sponsor can be found with sufficient power to secure consideration of such a measure.

The coming session of Congress will devote itself almost exclusively to questions of national defense, one of the more important of which will be the matter of taxation.

Generally, new and higher taxes are expected to be ordered, raising the

(*Continued on page* 6)

43 Legislatures Meet This Month

Tax or other legislation may confront the industry in 44 state legislatures which will go into session this year, 43 of them during January. The Florida legislature does not convene until April 4, while no sessions are scheduled this year for the Kentucky, Louisiana, Mississippi and Virginia legislatures.

Dates on which other state legislatures will convene follow: Jan. 2: California, Idaho, Montana, Ohio and Tennessee; Jan. 3: Delaware, Minne-

(*Continued on page* 6)

Extension Granted In Oklahoma Case

The Government on Tuesday extended to Feb. 1 the time for the filing of answers by Columbia, United Artists and Universal to the Department of Justice complaint in the Oklahoma City anti-trust suit against them and the Griffith Amusement Co.

The answers originally were due to be filed in Oklahoma City today, but failure of the defendants to complete them on time brought about the extension of a month.

HOLIDAY GROSSES BIGGEST IN YEARS

Big New Year On Broadway

Broadway film theatres celebrated the arrival of the New Year at the box-office, with business generally described as "terrific."

It was the greatest celebration since 1929. With the weather unusually mild, the throngs were larger than in years, and despite the competition of hotel parties and night clubs, the strong product jammed them in.

Most houses raised prices, the Paramount, Roxy and Strand tilting to $1.65 for the Tuesday night shows.

Radio City Music Hall, with "The Philadelphia Story" and a New Year's stage show, grossed an estimated big $128,500 on the first week which ended last night. Yesterday's business was about $20,000.

The holiday gave the Paramount an estimated $79,500 for the second week of "Love Thy Neighbor" with Tommy Dorsey's band on the stage. This is better than the first week. Yesterday's gross was more than $11,000. The film will go four weeks.

"Chad Hanna" and a holiday stage show at the Roxy garnered about $65,000 in a first week. The second week started yesterday with a good $9,000. "Comrade X" did a big $45,000 in a second week at the Capitol, and started a third yesterday. "Victory" at the Rivoli did an estimated $13,000 for the first five days of the second week.

Schnitzer's Father Dies; Kin of Rinzler

Funeral services will be held today for Max Schnitzer, 76, father of Edward M. Schnitzer, Warner Bros. executive, and father-in-law of Samuel Rinzler, Randforce Circuit chief, who died Tuesday. His residence was at 673 Georgia Avenue, Brooklyn. The services will be held at 1 P. M. at the New Lots Temple, New Lots and Pennsylvania Aves., Brooklyn. Interment will be at the United Hebrew Cemetery, Richmond, Staten Island.

Besides Edward M. Schnitzer, survivors are the widow, Rose; four daughters, Mrs. Gussie Rinzler, Mrs. William Schutzer, Mrs. Rae Marel and Mrs. Anne Bernstein, of Bridgeport, and another son, Louis, of the Randforce Circuit.

Box-Office Films, Mild Weather, Greater Spending Help

"Best in Years," was the refrain from most key cities last night reporting on New Year's business.

Box-office product, generally pleasant weather and bigger spending were reported as giving theatres in most sections a new found prosperity. Strong films overcame numerous counter-attractions. Many houses added midnight stage shows and increased prices.

Philadelphia first runs, mostly with Christmas holdovers, were sellouts New Year's eve, despite 10 to 18 cents price boosts for midnight shows. The bonanza continued yesterday as clear weather brought thousands to the city for the Mummers' Parade.

As an antidote to the war atmosphere, theatres in Canada featured comedies and musicals on the holiday. "Bitter Sweet," "Love Thy Neighbor,' "Tin Pan Alley" and "The Thief of Bagdad" were four leading films in Montreal. Springlike weather discouraged winter sports and boosted patronage, Montreal and Toronto reported.

Rain failed to stop Chicago theatres' biggest New Year's eve in 10 years. Hotels and cafes reported best business since 1928. Rain yesterday brought a drop in the Loop, with neighborhoods benefiting.

In Cleveland, the Hippodrome and State said business was as good as in 1929. Boston, Minneapolis and Seattle reported "best in years," and it was big also in Baltimore, Indianapolis and Providence. In New Haven yesterday it was "terrific." Kansas City was good. Midsummer weather, the Rose Bowl football game and races hurt Los Angeles matinees.

Para. Will Resume British Production

Hollywood, Jan. 1.—Paramount announced today that it plans to resume British production. David Rose, in charge of production, now here, expects to sail Jan. 25.

Ld

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Forego Party to Aid War Victims

Toronto, Jan. 1.—Employes of the Toronto branch of Regal films, Ltd., passed up their year-end party in order to help war victims in England and a donation of $100 was turned over to the Toronto *Telegram* for the Lord Mayor's Fund.

Manager C. L. Querrie and staff of the Palace here abandoned their annual celebration, which had been observed since 1921, for the same reason. A donation of $300 was made.

RKO Chicago Meet On Drive Tomorrow

A. W. Smith, RKO sales manager; Walter Branson, Midwestern district manager; Leo Devaney, Canadian division manager, and Harry Gittleson, house organ editor, will meet in Chicago tomorrow with the Chicago exchange staff, to set plans on the Ned Depinet sales drive. Devaney is drive captain. Jack Osserman is local exchange manager.

Following the session there, Devaney, Branson and Gittleson will continue to other branches. L. E. Goldhammer, Prairie district manager, will join them in Omaha to cover exchanges in his territory, and at Denver. J. H. MacIntyre, Western district manager, will join Devaney and Gittleson. The tour will end here on Feb. 7. The drive extends for 15 weeks, from Jan. 25 to May 9.

Good Showmen
HAVE THIS TO SAY:

★ "Reaction terrific... the patrons howled... asked for more." F. B. Schlax, Kenosha Theatre, Kenosha, Wis.

●

★ "Audience reaction very enthusiastic . . . should play every theatre . . ."
Lou B. Metzger, Spreckles Theatre, San Diego, Cal.

●

★ "Audience reaction excellent . . ."
Harry Zeitz, State Theatre, New Bedford, Mass.

●

★ " . . . fine entertainment . . . " Chas. Bierbauer, Wilmer & Vincent's Colonial, Allentown, Pa.

●

★ All of which means there is a great reel in BOB HAWK'S sensational CBS Coast-to-Coast network smash . . ."TAKE IT OR LEAVE IT"
A COLUMBIA "QUIZ" REEL—*NOW BOOKING*

Personal Mention

MAURICE SILVERSTONE, U. A. chief of world-wide operations, and CHARLES SCHWARTZ, attorney, plan to leave for the Coast in a week or 10 days.

●

JACK MCINERNEY, publicity director for the Paramount on Broadway, is due next Thursday from Miami where he is vacationing with his family.

●

SIDNEY E. SAMUELSON, Eastern Pennsylvania Allied business manager, and WILLIAM KARRER, head of the Motion Picture Associates in Philadelphia, have left for Florida.

●

F. R. MORAN, Republic Des Moines manager, visited in Oklahoma City during the holidays.

●

GEORGE KURLANSIK, owner of the Towne and the Transit, Allentown, Pa., has left for Florida to join his wife and son.

●

GILBERT KANOUR, film critic for the Baltimore *Evening Sun*, is nursing injuries received in an auto accident during the holidays.

●

DANIEL MAINWARING, Warner publicity man here, leaves Saturday for Mexico City to gather material for a novel.

●

RAYMOND WINCH, operator of the Wakefield Theatre, Wakefield, Kan., was injured in an automobile accident last week at Camp Funston, Kan.

JACK COHN, vice-president of Columbia, and his family are expected back from Miami early next week.

●

MOE KURTZ, 20th Century-Fox New Jersey salesman, and ABE BLUMSTEIN, New York salesman, return Monday from Miami.

●

J. W. DAILY, former staff member of the New Orleans *Item* and the *Tribune*, has left for Hollywood to assume a new post on the Columbia publicity staff.

●

CHARLES GOLDFINE, Philadelphia exhibitor, has been appointed chairman of the Motion Picture Division of the Salvation Army campaign in Philadelphia.

●

ABE FRANKLE, owner of the Casino, Des Moines, is recovering at his home after an illness of several weeks.

●

FLORENCE FINEMAN of the RKO publicity department has been discharged from the Mount Sinai Hospital after an appendectomy.

●

RAYMOND S. REED, sales development manager of Heywood-Wakefield, has left for a tour of company branches and will return at the end of January.

●

STEVE ANOLASKIS, chief projectionist at the Avenue, Philadelphia, and MRS. ANOLASKIS are the parents of a daughter.

Wright to Conduct 'Little Three' Trial

Robert L. Wright, Special Assistant Attorney General, will conduct the trial of the anti-trust suit against Columbia, Universal and United Artists if it starts next Spring, according to reports at the Federal courthouse here. Special Assistant James V. Hayes is no longer associated with the film suit, it was said. Besides Wright only Seymour Simon, John F. Flaggett, J. Stephen Doyle and J. Frank Cunningham remain of the original staff in this case.

'Dictator' in Mexico Despite Nazis' Pleas

MEXICO CITY, Jan. 1.—Charlie Chaplin's "The Great Dictator" opened here yesterday at the Palacio Chino despite demands of the German Embassy that the picture be banned, which were refused by the Mexican authorities.

Walter Camp Dies

LOS ANGELES, Jan. 1. — Walter Camp, Jr., 49, president of Inspiration Pictures, died here yesterday after a long illness.

Cultivated high-class executive wanted to act as SALES MANAGER for new film venture. Experience in non-theatrical markets preferred. Box 811, Motion Picture Daily.

Newsreel Parade

PRESIDENT ROOSEVELT'S important address on national security makes an extremely significant newsreel subject. Another highlight of the issues is the arrival at a British port of H. M. S. Kelly, *destroyer, which was torpedoed off the Danish coast. The contents follow:*

MOVIETONE NEWS, No. 33—Roosevelt warns the dictators. British destroyer towed to port. King George with bomber pilots. Londoners in subway shelters during raid. Sporting event highlights during 1940. Racing at Santa Anita.

NEWS OF THE DAY, No. 231—Roosevelt's "fireside chat." Crippled British destroyer reaches port. Londoners find shelter in subway during an air raid. Glamour girls on parade. Swimming meet in Florida. Santa Anita racing.

PARAMOUNT NEWS, No. 36—Italian prisoners in Egypt. Anne Lindbergh discusses relief for Europe. British destroye returns to port after being torpedoed. Beach fashions. British children speak to parents in England via radio. Roosevelt address.

RKO PATHE NEWS, No. 36—Roosevelt urges more aid. British destroyer, crippled by torpedo, is saved. Tornado hits Cuba. Jews honor Justice Hughes. Swim carnival in Florida. Basketball.

UNIVERSAL NEWSREEL, No. 941—Roosevelt addresses world. British destroyer, victim of torpedo, returns to port. Tornado in Cuba. Jews honor Justice Hiughes. Florida swim meet. Basketball. Racing at Santa Anita.

Briggs Resigns as Monogram Director

HOLLYWOOD, Jan. 1.—W. Ray Johnston, president of Monogram, on Tuesday announced the resignation of O. Henry Briggs as a member of the board of directors, on which he represented Pathe prior to his resignation as president of Pathe Laboratories. His successor will be elected at the next quarterly meeting. Briggs recently became president of Producers Releasing Corp.

4 New 'Wind' Dates Set

Four more "Gone With the Wind" popular-price engagements have been announced by M-G-M. The film will open Jan. 10 at the Melba, Dallas; and Jan. 17 at the Majestic, Tulsa; Rialto, Eldorado, Ark., and Grand, Friendsville, Md.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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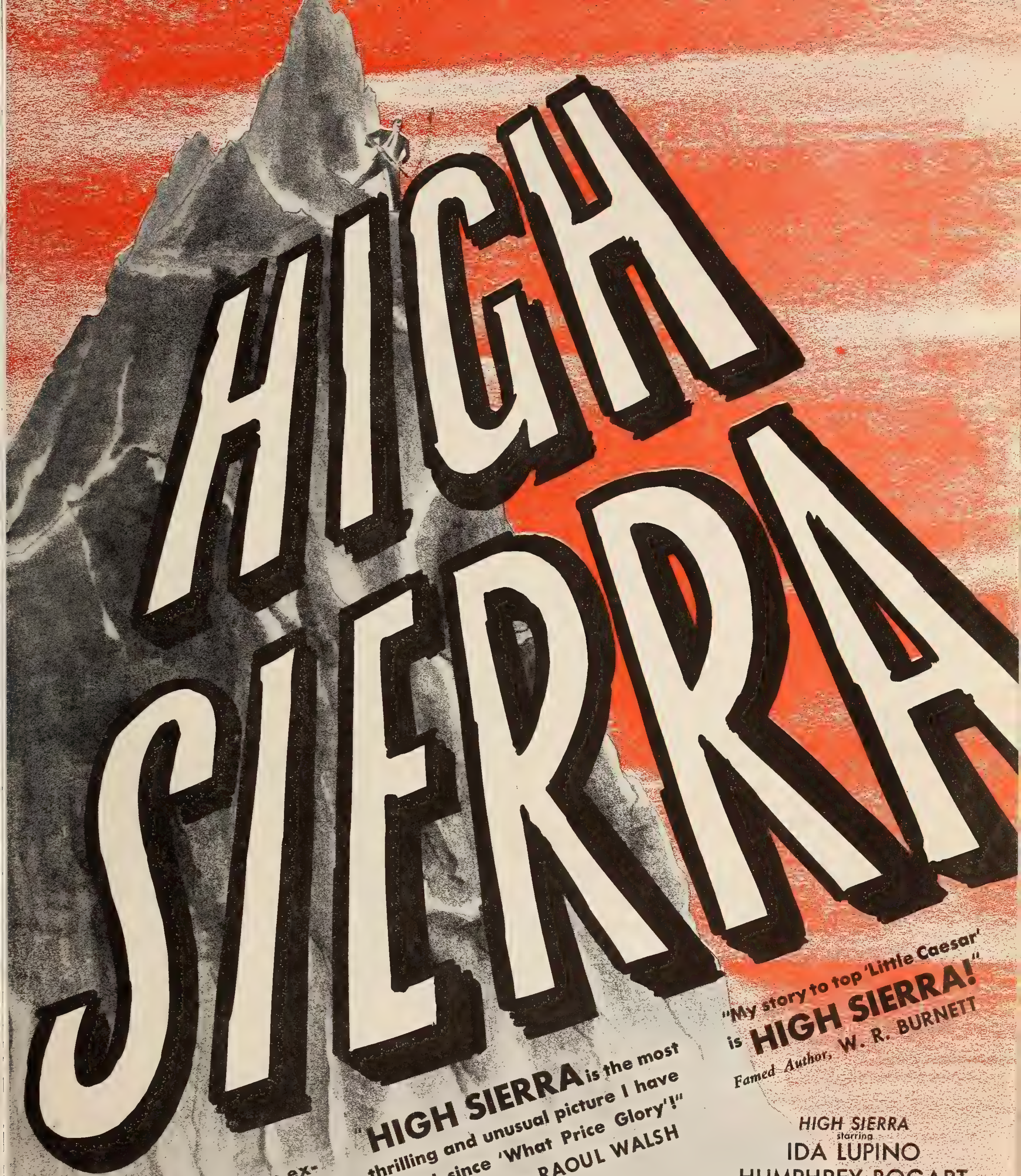


"My story to top 'Little Caesar'
is **HIGH SIERRA!**"
Famed Author, W. R. BURNETT

"**HIGH SIERRA** is the most
thrilling and unusual picture I have
directed since 'What Price Glory'!"
Director of a hundred Hits, RAOUL WALSH

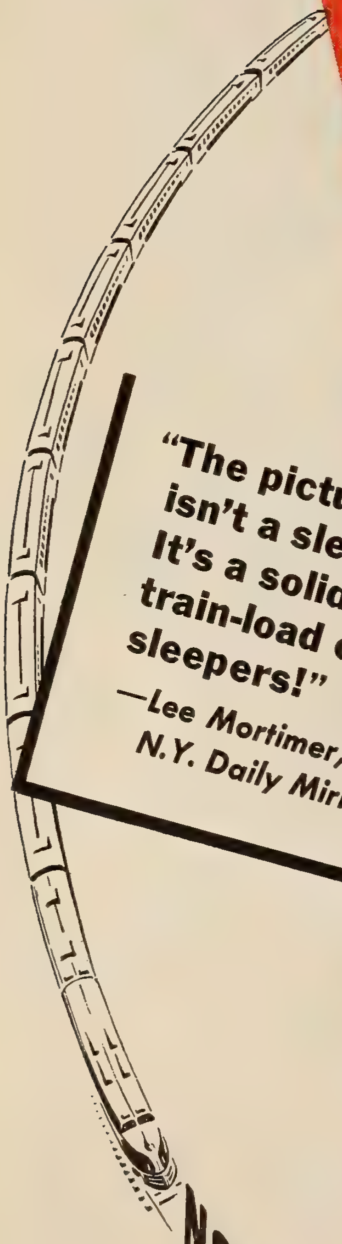
HIGH SIERRA is an ex-
itement-loaded yarn if ever I knew
ne! On film it's a world-beater!"
ewspaperdom's acknowledged No. 1 Story-Teller
MARK HELLINGER

HIGH SIERRA
starring
IDA LUPINO
HUMPHREY BOGART
with
Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers
Directed by RAOUL WALSH
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

Soon from Warners!

"NIGHT TRAIN" IS A SLEEPER!

Chosen One Of The Best 10 Pictures Of The Year By N. Y. World-Telegram, Herald-Tribune, Journal-American!



"The picture isn't a sleeper. It's a solid train-load of sleepers!"
—*Lee Mortimer, N.Y. Daily Mirror*

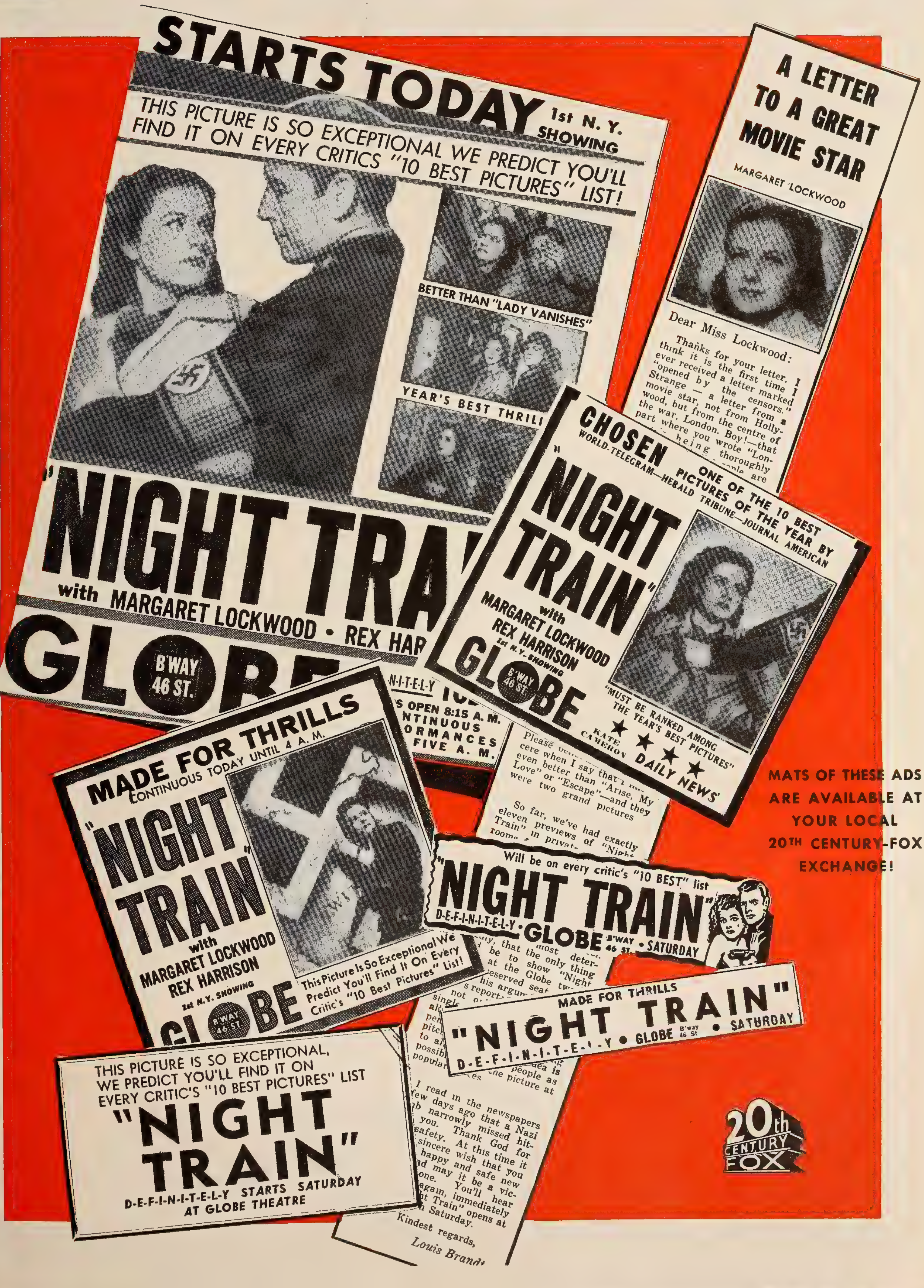
"Must be ranked among the year's best pictures!"
—*Kate Cameron, N.Y. Daily News*

MARGARET
LOCKWOOD and REX
HARRISON
in
"NIGHT TRAIN"
with
PAUL VON HERNREID

MAURICE OSTRER, In Charge of Production • Produced by EDWARD BLACK • Directed by CAROL REED • Based on an original story by Gordon Wellesley • Screen Play by Sydney Gilliat and Frank Launder • A 20th Century Production made at the G. B. Studios, London

NOW BREAKING RECORDS AT THE GLOBE ON B'WAY!

. . . AND THESE ARE THE ADS THAT DID IT!



STARTS TODAY 1st N. Y. SHOWING

THIS PICTURE IS SO EXCEPTIONAL WE PREDICT YOU'LL FIND IT ON EVERY CRITICS "10 BEST PICTURES" LIST!

BETTER THAN "LADY VANISHES"

YEAR'S BEST THRILL

"NIGHT TRA

with MARGARET LOCKWOOD • REX HAR

GLOBE B'WAY 46 ST.

N-I-T-E-L-Y

S OPEN 8:15 A. M.
NTINUOUS
ORMANCES
FIVE A. M.

A LETTER TO A GREAT MOVIE STAR

MARGARET LOCKWOOD

Dear Miss Lockwood:

Thanks for your letter. I think it is the first time I ever received a letter marked "opened by the censors." Strange — a letter from a movie star, not from Hollywood, but from the centre of the war, London. Boy!—that part where you wrote "London being thoroughly … people are

Please … cere when I say that I … even better than "Arise, My Love" or "Escape"—and they were two grand pictures

So far, we've had exactly eleven previews of "Night Train" in private rooms …

… that the most determined … the only thing … be to show "Night … at the Globe … reserved seat … his argum… s report… not … single … al… per… pitc… to a… possib… popular … dea is … people as … one picture at

I read in the newspapers few days ago that a Nazi … b narrowly missed hitting you. Thank God for safety. At this time it sincere wish that you happy and safe new … d may it be a victory one. You'll hear … again, immediately … ht Train" opens at … n Saturday.

Kindest regards,

Louis Brandt

CHOSEN ONE OF THE 10 BEST PICTURES OF THE YEAR BY WORLD-TELEGRAM—HERALD TRIBUNE—JOURNAL AMERICAN

"NIGHT TRAIN"

with MARGARET LOCKWOOD REX HARRISON

1st N.Y. SHOWING

GLOBE B'WAY 46 ST.

"MUST BE RANKED AMONG THE YEAR'S BEST PICTURES"

KATE CAMERON ★★★ DAILY NEWS

MADE FOR THRILLS

CONTINUOUS TODAY UNTIL 4 A. M.

"NIGHT TRAIN"

with MARGARET LOCKWOOD REX HARRISON

1st N.Y. SHOWING

GLOBE B'WAY 46 ST.

This Picture Is So Exceptional We Predict You'll Find It On Every Critic's "10 Best Pictures" List!

Will be on every critic's "10 BEST" list

"NIGHT TRAIN"

D-E-F-I-N-I-T-E-L-Y • GLOBE B'WAY 46 ST. • SATURDAY

MADE FOR THRILLS

"NIGHT TRAIN"

D-E-F-I-N-I-T-E-L-Y • GLOBE B'way 46 St • SATURDAY

THIS PICTURE IS SO EXCEPTIONAL, WE PREDICT YOU'LL FIND IT ON EVERY CRITIC'S "10 BEST PICTURES" LIST

"NIGHT TRAIN"

D-E-F-I-N-I-T-E-L-Y STARTS SATURDAY AT GLOBE THEATRE

MATS OF THESE ADS ARE AVAILABLE AT YOUR LOCAL 20TH CENTURY-FOX EXCHANGE!

20th CENTURY FOX

Block Booking Bill Seen in 1941 Congress

(*Continued from page* 1)

possibilities of a stiffening of the admissions levy. Individual and corporation income taxes will be materially hiked. However, while taxes will be a subject of discussion throughout the session, it is not expected that any definite legislation will be submitted until after March 15, when the results of the two revenue laws enacted last year will be known.

Favor Trial for Decree

With defense as the keynote, it is believed that extraneous matters, such as block booking legislation, will receive little consideration. The feeling is more or less general in Congressional circles that the consent decree should be given an opportunity to demonstrate its worth, and the suggestion is that new legislation could more readily be secured if, after trial, the decree was found inadequate.

There is little talk of new copyright legislation, a subject on which little or nothing has been heard for the past year, both because of the upset condition of the world and, more recently, the Government's action against Ascap and now BMI.

See Little Attention to Films

In informed quarters it is believed there will be little discussion of film industry conditions in the coming session except as they relate to general legislation, such as taxes.

President Roosevelt on Monday personally will deliver his annual message to Congress, in which he is expected to touch upon his program for the session. While naturally the details of his message are closely guarded, he is not expected to suggest legislation for any individual industry other than, possibly, the oil industry, for which he may recommend Federal control of production.

Legislatures in 43 States Meet in Jan.

(*Continued from page* 1)

sota, Nebraska, North Dakota, Oklahoma, Pennsylvania, Rhode Island and South Dakota; Jan. 4: Colorado, Connecticut, Illinois, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New York, North Carolina and Vermont; Jan. 6: Indiana; Jan. 9: Arizona, Arkansas, Iowa, Oregon, Utah and Washington; Jan. 10: Alabama, Kansas, New Jersey, New Mexico, South Carolina, Texas and Wyoming; Jan. 11: West Virginia and Wisconsin; Jan. 13: Georgia, and Jan. 16, Nevada.

McClintic Play Will Open Here Tonight

"The Lady Who Came To Stay," with Mady Christians, Beth Merrill, Mildred Natwick and Evelyn Varden heading the cast, opens tonight at the Maxine Elliott Theatre. Guthrie McClintic produced the play, which was written by Kenneth White.

Monogram Finishes 45% Of Schedule for 1940-'41

Hollywood, Jan. 1

MONOGRAM has completed production of 45 per cent of its announced program of 42 films for 1940-'41, W. Ray Johnston, president, has announced. All releases up to the end of January have been delivered, marking a new high for the company. Included among those finished are 12 features, five "Range Busters" westerns, and two outdoor films starring Tex Ritter.

• •

Rudy Vallee will make his debut as a ventriloquist in RKO Pathe's "Picture People" short subject, to be directed by Louise Rousseau. The series of short subjects deals with the off-screen activities of film folk. . . . "Soldiers of the Campus," which will be concerned with the Reserve Officers Training Corps, will be the next in Warners' series of two-reel Technicolor films glorifying the United States armed forces. . . . Columbia has given John Howard a term contract. . . . RKO will star Joan Fontaine opposite Cary Grant in "Before the Fact," to be directed by Alfred Hitchcock. . . . M-G-M has placed Robert Cummings opposite Ruth Hussey in "Free and Easy," which Milton Bren will produce and Eddie Buzzell direct. Reginald Owen and Nigel Bruce also have been cast.

• •

Alfred Hitchcock has completed editing of "Lightship 61," British-made film detailing the bombing and sinking of a Channel lightship. Robert E. Sherwood will write a foreword. No distribution deal has been made, as yet.

• •

Columbia has borrowed Jane Withers from 20th Century-Fox and Jackie Cooper from Paramount for "Her First Beau," which B. B. Kahane will produce and J. Theodore Reed direct. The picture was formerly titled "June Mad," and is from a play by Colin Clements and Florence Ryerson. . . . John Carroll has been borrowed from M-G-M by RKO for the role opposite Anna Neagle in "Sunny." Supporting players will include Ray Bolger, May Robson, Edward Everett Horton, Frieda Inescourt and The Hartmans. Herbert Wilcox will produce and direct. . . . Dame May Whitty has been set for Paramount's "One Night in Lisbon." . . . Marsha Hunt has been cast for "The Trial of Mary Dugan," at M-G-M. . . . RKO will team Rosemary Lane and Dennis O'Keefe in "Hang Out the Moon," to be produced by Frederic Ullman, Jr. Jack Hively will direct the musical.

• •

Paramount and Columbia both have suspended William Holden for asserted refusal to report for "Texas," Columbia picture. Cause of the dispute is salary. . . . Producers Releasing's first Henry Armetta film will be called "Caught in the Act," a change from "It Happened to Me." Sherman Scott will direct that company's "Alimony Jail," story by George Bricker.

Clearance Due for Early Arbitration

(*Continued from page* 1)

ceived by the American Arbitration Association.

Most of such inquiries, it was said, have come from Eastern territories.

Designation of panels of arbitrators for the local boards is expected to be completed within the next two or three weeks.

J. Noble Braden, executive secretary of the A.A.A., will leave for the South on Sunday on the last leg of his nationwide trip to organize the 31 local arbitration boards for the industry. Leases for board offices for all but the Southern territories and the appointment of clerks for the boards are expected to be completed within the next week.

Ontario Clearance Board Meets Jan. 7

Toronto, Jan. 1.—The new Ontario Clearance Board will hold its next scheduled meeting on Jan. 7 to complete details of its constitution and bylaws, after which the work of studying booking protection and theatre zoning will be taken up with a view to reducing clearance and effecting other reforms. The board is made up of three officials of Famous Players Canadian Corp. and three independent exhibitors.

Kuykendall Speaks At Miami Meeting

Miami, Jan. 1.—Ed Kuykendall, president of the M.P.T.O.A. discussed operations of the New York case consent decree at a luncheon of 50 exhibitors and others here yesterday, at which Mitchell Wolfson, Wometco Theatres executive, was host.

Louis Nizer, New York attorney, asked exhibitors to cooperate with the Government in the decree, which, he said, probably would be workable with revisions.

Wolfson asked those present to sign a pledge of cooperation with the industry's national defense committee. He introduced guests including Jack Cohn, Herman Robbins, W. A. Steffes, Thomas Brandon, Pete Harrison, Herman Weingarten, Albert Bernstein, Sidney Meyer, Jack Alicoate and others.

3 Companies Formed

Albany, Jan. 1.—Three new companies incorporated here include: W. G. M. Theatres Corp., Bronx, by Alexander Weiss, Adolph D. Weiss and Adolph Mendel; Foremost Films, Inc., by David Weiss, Leonard D. Weiss and Reda Kovacs, and Arsoc Pictures Corp., by Myron Goldman, Benjamin Raskin and J. Jack Brown.

Chicago Slow; 'Alley' Takes Fair $28,000

Chicago, Jan. 1.—"Tin Pan Alley" in the second week at the Chicago, with a variety stage show, brought $28,000. Singer's Midgets and "Men Against the Sky" grossed $12,000 at the Oriental.

Estimated takings for the week ending Dec. 27:

"Arizona" (Col.)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $6,000. (Average, $6,500)

"Tin Pan Alley" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. 2nd week. Stage: Variety Stage Show. Gross: $28,000. (Average, $32,000)

'The Letter" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 3rd week. Gross: $4,000. (Average, $5,000)

"Men Against the Sky" (RKO)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Singers Midgets. Gross: $12,000. (Average, $13,000)

"Bank Dick" (Univ.) 3 days
"Hit Parade" (Univ.) 3 days
"No, No Nanette" (RKO) 4 days
"Frisco Docks" (Univ.) 4 days
PALACE—(2,500) (35c-40c-60c). Gross: $9,000. (Average, $13,000)

"Thief of Bagdad" (U. A.)
ROOSEVELT—(1,500) (35c-55c-65c-75c) 7 days. Gross: $9,000. (Average, $11,000)

"Blondie Plays Cupid" (Col.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: All American Girl Band. Gross: $14,000. (Average, $15,000)

"Bitter Sweet" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)

'Scarface' $2,700 In Providence Lull

Providence Jan. 1.—In the week before Christmas, business was generally off, with the reissue of "Scarface," paired with "Sky Bandits," at Fay's doing the best comparative business, $2,700. The RKO Albee took $4,000 with "Blackout" and "Dreaming Out Loud" in 5 days.

Estimated takings for the week ending Dec. 23-25:

"Blackout" (U. A.)
"Dreaming Out Loud" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 5 days. Gross: $4,000. (Average, $6,000)

"Dr. Kildare's Crisis" (M-G-M)
"Escape to Glory" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 5 days. Gross: $5,500. (7-day average, $11,000)

"East of the River" (W. B.)
"Friendly Neighbors" (Rep.)
MAJESTIC—(2,250) (28c-39c-50c) 5 days. Gross: $3,500. (7-day average, $7,000)

"A Night at Earl Carroll's" (Para.)
"Before I Hang" (Col.)
STRAND—(2,200) (28c-39c-50c) 6 days. Gross: $3,600. (7-day average, $6,000)

"Phantom of Chinatown" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Jimmie Lunceford orchestra, Swan and Lee, Miller Brothers and Lois, and Velma Middleton. Gross: $3,000. (Average, $5,000)

"The Philadelphia Story" (M-G-M)
"Gallant Sons" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 3rd week. Gross: $2,300. (Average, $3,500)

"Scarface" (U. A.)
"Sky Bandits" (Criterion)
FAY'S—(1,800) (15c-28c-39c) 5 days. Gross: $2,700. (7-day average, $2,500)

"No Time for Comedy" (W. B.) (3 days)
"Mexican Spitfire Out West" (M-G-M) (3 days)
"Little Nellie Kelly" (M-G-M) (4 days)
"Always a Bride" (W. B.) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

'Carson' Gets Good $11,000 Frisco Gross

SAN FRANCISCO, Jan. 1.—"Kit Carson" got off to good start with $11,000 at the United Artists, as rainy weather set in. Business was generally good, despite the Christmas buying rush. "Go West" paired with "Christmas in July" at the Fox for $16,000.

Estimated takings for the week ending Dec. 17-20:

"Convoy" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $14,500. (Average, $15.000)
"Go West" (M-G-M)
"Christmas in July" (Para.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $16,000. (Average, $16,000)
"The Bank Dick" (Univ.)
"Give Us Wings" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $7,700. (Average, $8,000)
"South of Suez" (W. B.)
"Tugboat Annie Sails Again" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $10,500. (Average, $11,500)
"Kit Carson" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $11,000. (Average, $8,000)
"Little Nancy Kelly" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)
"Texas Rangers Ride Again" (Para.)
"A Night at Earl Carrolls" (Para.)
WARFIELD — (2,680) (15c-35c-40c-50c) 7 days. Gross: $10,000. (Average, $12,000)
"Time in the Sun" (Foreign)
CLAY—(400) (15c-35c-45c) 7 [illegible] Gross: $900. Average, $1,000)

Xmas Too Much for New Haven Grosses

NEW HAVEN, Jan. 1.—"Go West" and "Gallant Sons" in the second week at the College, with $2,300, came closer than any other bill to average business, in a week of sub-normal grosses. Heavy Christmas shopping was too much competition. The weather was fair.

Estimated takings for the week ending Dec. 25:

"Go West" (M-G-M)
"Gallant Sons" (M-G-M)
COLLEGE—(1,499) (39c-50c) 6 days, 2nd week. Gross: $2,300. (Average, $2,700)
"Dr. Kildare's Crisis" (M-G-M)
"Dulcy" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 6 days. Gross: $4,000. (Average, $8,000)
"Night at Earl Carroll's" (Para.)
"She Couldn't Say No" (W. B.)
PARAMOUNT—(2,348) (39c-50c) 6 days. Gross: $2,000. (Average, $4,000)
"East of the River" (W. B.)
"The Lady With Red Hair" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $3,800. (Average, $5,000)

'Little Nellie Kelly' Does $8,400, Omaha

OMAHA, Jan. 1.—After a very dull pre-Christmas week, exhibitors reported an upswing in business starting Christmas Day. "Little Nellie Kelly" pulled $8,400 at the Orpheum. The weather was warm and clear.

Estimated takings for the week ending Dec. 25-26:

"Here Comes the Navy" (W. B.)
"So You Won't Talk" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,200. (Average, $4,000)
"Trail of the Lonesome Pine" (Para.)
"Thanks For the Memory" (Para.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,100. (Average, $6,000)
"Little Nellie Kelly" (M-G-M)
"Sandy Gets Her Man" (Univ.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $8,400. (Average, $7,200)

Feature Review

"The Girl in the News"

(20th Century-Fox)

PRODUCED at the Gaumont British studio in England under the production supervision of Edward Black, this dramatic story of a girl twice tried for murders she did not commit is a well-knit, expertly handled item of screen merchandise.

Carol Reed, who directed, gives every evidence of unusual skill in the treatment mystery sequences and courtroom procedure. The film is an adaptation by Sidney Gilliat of a novel by Roy Vickers.

Margaret Lockwood is excellent as the nurse, held first for an accidental death which gives every appearance of murder, and a second time when she is the victim of a plot to make her pay the penalty of a crime committed by others. Barry K. Barnes is capable as the young attorney who defends her in the first trial as an assignment, and in the second for a more compelling reason. In chief support are Emlyn Williams, butler in the home of the second victim, who conspires with the wife to cause his death and pin the crime on Miss Lockwood; Roger Livesay as a police officer and friend of Barnes, and Margaretta Scott, as the wife in love with the butler.

The manner in which the criminals are brought to book in the courtroom, and the surprise twist at the end, all carried through without a moment's wasted footage, keep interest at a high pitch.

Running time, 77 minutes. "G."* CHARLES S. AARONSON

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* *"G" denotes general classification.*

'July' and Calloway $8,000, Kansas City

KANSAS CITY, Jan. 1.—First runs closing just before Christmas did little business in a short week. However, in four days, "Christmas in July" and Cab Calloway on the stage took $8,000 at the Newman. The weather was good.

Estimated takings for the week ending Dec. 22-26:

'Hit Parade of 1041" (Rep.)
ESQUIRE—(800) (28c-44c) 6 days. Gross: $1,200. (Average, 6 days, $1,800)
"Dr. Kildare's Crisis (M-G-M)
"Escape to Glory" (Col.)
MIDLAND — (4,000) (28c-44c) 5 days. Gross: $4,700. (Average, 5 days, $7,000)
"A Night at Earl Carroll's" (Para.)
"World in Flames" (Para.)
NEWMAN — (1,900) (28c-44c) 6 days. Gross: $4,000. (Average, 6 days, $5,800)
"Christmas in July" (Para.)
NEWMAN—(1,900) (33c-44c-61c) 4 days. Stage: Cab Calloway and Orchestra, with Avis Andrews, Cook & Brown, Anise & Aland, Chu Berry and Cole, and the Cab Jivers. Gross: $8,000. (Average, 4 days, $4,500)
"Here Comes the Navy" (W. B.)
"Lady With Red Hair" (W. B.)
ORPHEUM—(1,500) (28c-44c) 5 days. Gross: $2,300. (Average, 5 days, $3,500)
"Youth Will Be Served" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Yuletide Kiddie Review, with 25 Kansas City Youngsters, plus 3 Lightning Flashes, Toree Twins & Torrence, and Alfred Latzell. Gross: $9,500. (Average, $6.000)
'Hit Parade of 1941" (Rep.)
UPTOWN — (2,000) (28c-44c) 6 days. Gross: $1,700. (Average, 6 days, $2,600)

Gibson Quiz in Suit

Peyton Gibson, Universal secretary, on Tuesday was ordered by N. Y. Supreme Court Justice Benedict Dineen to appear for an examination before trial in connection with the $984,580 damage suit brought by Forrester Parant Productions, French company, against Marlene Dietrich. No date was set for Gibson's examination.

Shapiro With Selznick

HOLLYWOOD, Jan. 1.—Victor Shapiro has been signed by David O. Selznick Productions to handle special publicity for the next few months.

Club Installation In Omaha Jan. 19

OMAHA, Jan. 1.—The local Variety Club will inaugurate 1941 officers on Jan. 19 at the annual inaugural ball. Officers to be installed are:

Ted Mendenhall, chief barker; W. M. Green, first assistant; Sam Epstein, second assistant; M. L. Stern, treasurer; Edward Shafton, secretary.

'Bagdad' Is Los Angeles Hit at $31,500

LOS ANGELES, Jan. 1.—"The Thief of Bagdad" and "Murder Over New York" took a total of $31,500 at two houses, $14,500 at the Chinese and $17,000 at Loew's State. "Second Chorus," with "Alice in Wonderland" drew $24,000 at the Paramount.

Estimated takings for the week ending Dec. 18:

"Thief of Bagdad" (U. A.)
'Murder Over New York" (20th-Fox)
CHINESE—(2,500) 33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $12,500)
"Escape" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 4th week. Gross: $3,300. (Average, $3,250)
"Arizona" (Col.)
"Where Did You Get That Girl?" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $8,000. (Average, $6,500)
"Thief of Bagdad" (U. A.)
"Murder Over New York" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $17,000. (Average, $14,000)
"Arizona" (Col.)
Where Did You Get That Girl?" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $7,200. (Average, $7,000)
"Second Chorus" (Para.)
"Alice in Wonderland" (Para.)
PARAMOUNT — (3,595) (44c-55c-75c) 7 days. "Alice" matinees only. Stage: "South American Follies"—Don Ricardo & Orchestra. Gross: $24,000. (Average, $18,000)
"Four Mothers" (W. B.)
"South of Suez" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $7,300. (Average, $14,000.)
"Four Mothers" (W. B.)
"South of Suez" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $7,900. (Average, $12,000)

The 3 STOOGES
GO TO WAR . . . AND THE WAR GOES NUTS!
A blitzkrieg of belly laughs from the favorite zanies of a vast audience of laugh fans!
IN
"BOOBS IN ARMS"
A COLUMBIA SHORT-SUBJECT PRESENTATION
—NOW BOOKING!

Ascap, BMI Policing Air In 'Total War'

(*Continued from page 1*)

non-commercial broadcasters, had joined. The Ascap figure was reported in the neighborhood of 200 stations, with 40 states represented.

Ascap officials said that no effort would be made to bring a damage action into the courts for unauthorized performances. The society's policy, it was said, is to initiate actions only against flagrant violators or those involving more serious use of its music without a license.

The networks' plan of action called for the elimination of Ascap music from their stations until more reasonable terms are granted by Ascap.

A last minute Ascap entry, WMCA, New York, was unable to complete contract details in time but received permission to continue Ascap music indefinitely, pending the signing of a formal agreement within two weeks.

WEVD said it would rely on public domain music exclusively.

Three in N. Y. Take Both

Three New York independent stations, WBNX, WOV and WNYC joined both BMI and Ascap with WNYC receiving the music free from both because it is non-commercial. WINS and WQXR, in addition to WEAF, WABC, WJZ and WOR, joined BMI, while WHN, WNEW, WHOM, WAAT and WHBR signed with Ascap.

Neville Miller, president of the National Association of Broadcasters, yesterday sent an open letter to all Ascap members in which he charged that division of Ascap receipts was made unfairly and that present leaders of Ascap formed a "music monopoly."

WWL Must Reply by Jan. 10 in Script Suit

NEW ORLEANS, Jan. 1.—Civil Court Judge Nat W. Bond yesterday ordered Station WWL to show cause on Jan. 10 why a preliminary injunction should not be issued preventing it from broadcasting the transcribed dramatic serial, "Uncle Natchel," sponsored by the Chilean Nitrates Sales Corp.

The station is defendant in a $25,000 suit filed by Grombach Productions, Inc., which claims to have originated the program. The plaintiff is a radio producing company in New York headed by Jean V. Grombach. Grombach also is suing the sponsor for $75,000.

3 Partners Named By Lyons Agency

HOLLYWOOD, Jan. 1.—Donald D. tauffer and William R. Stuhler of ew York and Nat Wolff of Beverly lls, have become partners in the n of A. & S. Lyons, Inc., headed Arthur and Sam Lyons. The three members have become stock-ers in the agency.

Off the Antenna

KEN R. DYKE, NBC national sales promotion manager, was named Tuesday to the newly created post of director of promotion to coordinate all promotional activities of the company. Clayland Morgan, formerly institutional promotion director, has been assigned to the president's office as assistant to the president.

Three other new posts were created at the same time. Charles B. Brown, formerly promotion manager for managed and operated stations, was named Red network promotion manager; E. P. H. James, former advertising manager, will take over a similar post for the Blue; and W. C. Roux was made sales promotion manager for WEAF and WJZ.

Dyke's new post includes budgeting, planning and production of all promotion and advertising activities, including division offices, and managed and operated stations. He will direct the research and statistical divisions and will report directly to Frank E. Mullen, vice-president and general manager.

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Purely Personal: *Aileen Soares, religious editor for the NBC press department, is at the Hackensack Hospital following an operation. . . . Horton Heath, Jr., son of Horton Heath, director of information for RCA, will make his debut on the Broadway stage when he apepars in "The Lady Who Came To Stay" tonight. . . . George Bryan, CBS announcer, will do the commercial announcements on "We, the People." . . . Joseph Ries, formerly educational director for WLW, Cincinnati, has been named director of public service programs for WLW-WSAI. . . . Lawrence Witte, radio columnist and conductor of "Radio Spotlight" over WBNX, will replace Al Tanger Sunday on "Meet the Composer" on the same station. . . . Marty Glickman, WHN sports announcer, and Marjorie Dorman have been married.*

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The Westinghouse short wave station, WBOS, Boston, opened regular service to Latin America at 12:01 A.M. yesterday with a new 50 kilowatt transmitter. The station will operate between 4-11 P.M. daily with two hours in English, three in Spanish, and two in Portuguese. F. P. Nelson, Westinghouse director of international broadcasting, will be in charge for a few weeks, with W. C. Swartley, manager of WBZ, Boston, taking over later.

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Program News: *Sun Oil Co. has renewed the Lowell Thomas news program for 52 weeks, effective Jan. 24, over 22 NBC-Blue stations. The program is heard Mondays through Fridays at 6:45 P.M. . . . Cummer Products has renewed "Battle of the Sexes" over 54 NBC-Red stations, effective Jan. 28, for 52 weeks. . . . Cummer has also renewed "Manhattan at Midnight" over 46 NBC-Blue stations for 52 weeks, effective Jan. 22. . . . "Cities Service Concerts" has been renewed over 55 NBC-Red stations for 52 weeks effective Jan. 31. . . . Chrysler dealers have renewed sponsorship of Dorothy Thompson for 13 weeks effective Jan. 5 over WFIL, Philadelphia, in her Mutual hookup. . . . Federal Savings & Loan Associations will sponsor "The March Through Life" over WABC at 10:30 P.M. Mondays, beginning Jan. 6. . . . The annual Motor Boat Show will sponsor 100-word announcements over WABC Jan. 10, 13 and 15, and a five-minute program on Jan. 14, 16 and 17.*

CBS Starts Own News Service

TORONTO, Jan. 1.—The National News Service of the Canadian Broadcasting Corp. has been inaugurated for all newscasts over the Government network and a number of independent stations, with a central office at Toronto and branches at Montreal, Halifax, Winnipeg and Vancouver, the self-controlled service replacing the bulletins formerly supplied by the Canadian Press. The CBC will receive the full wire service of the Canadian Press and the British United Press but will operate its own news agency, under the direction of D. C. McArthur, Toronto, as chief editor. McArthur was formerly with the Toronto *Globe and Mail*.

Arrangements have been made to monitor foreign news broadcasts, including those from South America, through the CBC short wave receiving station, and items from this source will be made available to the Canadian network after censorship. No commercial sponsorship or spot announcements will be permitted in connection with official newscasts which, it is stated, will be used exclusively by nine CBC stations and 25 privately-owned stations, the latter to receive the service free of charge. Other stations may have the service at no other expense than wire line cost. It is understood that eventually all newscasts in Canada will be the official service without sponsorship of any newspaper or newsgathering agency.

A. E. Powley has been appointed senior editor of the Toronto CBC news bureau; J. N. Crandall, formerly news editor of British United Press, is in charge at Vancouver; William Metcalfe, a graduate of the University of Wisconsin, is in charge at Winnipeg; Ian Sclanders at Halifax, and Don Brown at Montreal.

Now It's 'Your Charm'

Effective with the March, 1941, issue, *Picture Play*, monthly fan magazine published by Street & Smith, will change its name to *Your Charm*, it was announced by Muriel Babcock, editor.

Exhibit Sileo Photos

An exhibition of photographs of Mexico taken by Jimmy Sileo, staff photographer of the Radio City Music Hall, is being presented in the grand lounge in conjunction with the stage show, "Pan Americana."

Standard Broadcast Gains Noted by FCC

WASHINGTON, Jan. 1.—A marked improvement in standard broadcast service, with interference problems eliminated or minimized, is expected to result after March 29, the effective date of the North American Regional Broadcasting Agreement, the FCC declares in its annual report. The commission stated that there were 846 standard stations operating or under construction, of which 79 represented new authorizations, and 10 were dropped.

$130,000,000 Sales in 1939

During the calendar year 1939, the commission said, 705 stations, including networks, had total time sales of $130,000,000 with a net income of nearly $24,000,000. Payrolls during the year were nearly $52,000,000 for almost 25,000 employes, the FCC said.

Television is "now making substantial progress," it was reported, and the licensing of more than 20 television stations throughout the country "will enable television to move forward on a full commercial basis." Television stations have budgets totaling $8,000,000 for experimental work, the FCC said.

Increased use of radio for miscellaneous services was noted. Police stations have increased to 6,300; aviation, to nearly 2,000, and there are more than 1,000 stations for forest conservation work.

Ask FCC Permits For 5 FM Stations

WASHINGTON, Jan. 1.—Receipt of applications for authority to construct five new FM broadcasting stations has been announced by the Federal Communications Commission.

The applications were filed by the Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y., for a 45,100-kilocycle station to cover 2,240 square miles with a population of 543,000; FM Radio Broadcasting Co., Inc., New York, for a 48,300-kilocycle station to cover 8,600 square miles with a population of 9,800,000; Columbia Broadcasting System, Boston, for a 44,100-kilocycle station to cover 16,230 square miles with a population of 5,972,246; Gordon Gray, Winston Salem, N. C., for a 44,100-kilocycle station to cover 69,400 square miles with a population of 4,125,000; and the The Gazette Co., Cedar Rapids, Ia., for a 44,700-kilocycle station to cover 7,400 square miles with a population of 282,000.

New Comedy Series Planned at Museum

The second part of a presentation of "Forty Years of American Film Comedy" will be shown at the Museum of Modern Art in a series starting Monday and continuing through March 30. The films will be in reverse chronological order, beginning with "The Thin Man."

The series will include 24 pictures divided into 11 programs. "The Pawnshop," "Easy Street" and "The Immigrant" are among the films to be shown.

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VOL. 49. NO. 2 NEW YORK, U. S. A., FRIDAY, JANUARY 3, 1941 TEN CENTS

Para. Starts Meetings on Decree Today

Agnew Realigning Staffs For New Method

Paramount today will launch a series of branch office meetings to instruct its field staffs in distribution procedure under the consent decree. The first session will be held this morning at the New York exchange.

Neil F. Agnew, vice-president in charge of distribution, and Robert Gillham, advertising and publicity director, left last night for a trip around the country to realign the national sales setup with decree operations. They will also sit in on production conferences at the studio.

Austin C. Keough, vice-president and general counsel, will interpret the decree at today's meeting at the local exchange. Later, he will visit every Paramount exchange in the East and South for the same purpose. Louis Phillips of the home office legal staff will cover the company's exchanges in the Midwest and Far West, beginning late this month and continuing until every exchange has been visited.

Phillips' tour had to be postponed

(Continued on page 7)

Shirley Temple to Make 2 for M-G-M

Hollywood, Jan. 2. — Superior Judge Emmet H. Wilson today approved Shirley Temple's contract with M-G-M calling for at least two films this year, one with Mickey Rooney in a "Judge Hardy Family" picture. The contract provides $2,500 weekly salary for a minimum of 40 weeks, plus options. Shirley is to get equal billing with Rooney and not be required to make personal appearances, under the pact.

Balaban, Ramsaye Will Address Club

Barney Balaban, Paramount president, and Terry Ramsaye, editor of *Motion Picture Herald*, will be the speakers Tuesday afternoon at the next of a series of meetings sponsored by the Paramount Pep Club educational committee. The meeting will be held in the Paramount home office recreation room. Balaban will speak on theatre operations and Ramsaye on "Success Is Where You Find It."

57 English Films Made in 9 Months

London, Jan. 2.—A total of 57 features was produced in England between April 1 and Dec. 21, 1940, according to figures released by the British Board of Trade. Of the total, five were produced by American companies.

British Exhibitors Vote Rooney 1940 Box Office Leader

British exhibitors, voting in the 1940 *Motion Picture Herald-Fame* poll, selected Mickey Rooney as the biggest money making star.

In the order of their ranking, the stars, inclusive of British and American players, were voted in accordance with their value at the box-office as follows:

1. **Mickey Rooney**
2. **Deanna Durbin**
3. **Spencer Tracy**
4. **Jeanette MacDonald**
5. **George Formby**
6. **Nelson Eddy**
7. **Errol Flynn**
8. **James Cagney**
9. **Gary Cooper**
10. **Bing Crosby**

British players were rated in the following order of ranking: George Formby, Robert Donat, Gracie Fields, Arthur Askey, Lucan & McShane, Charles Laughton, Will Hay, Conrad Veidt, Gordon Harker, Anna Neagle.

It is notable that Formby, winner among British players, according to the vote of British showmen, was the only English player to find a place in the first 10 among international players, placing fifth. Formby captured the British honor for the third successive year.

NO SETTLEMENT IN U. S. MUSIC SUIT

Gov't Wants Early Trial; Ascap to Sue CBS For Infringement

Hope for a settlement of the anti-trust suit soon to be brought by the Government in Milwaukee against Ascap, BMI, NBC and CBS has been abandoned, it was disclosed by the Attorney General's staff in the Federal Court here yesterday.

The Department of Justice is determined to go through with the prosecution, spokesmen said. An early trial will be sought following the filing of an information in Federal Court, Milwaukee, on Monday.

Answering queries of reporters on the reason for bringing the suit in Milwaukee rather than New York, Government attorneys explained that local judges had protested against the over-burdening of the calendar in Southern New York district with all anti-trust cases. The judges expressed the view that the calendar was so crowded already that a trial in such suit would take a long time before being reached.

As a result, the Government decided to bring the suit in Milwaukee where an early trial could be had, it was said, although it was admitted that the conduct of the trial at so distant a point would involve consid-

(Continued on page 7)

Col. Renews Motion To Dismiss U. S. Suit

Columbia yesterday renewed its motion in U. S. District court here to dismiss the Government's anti-trust suit against itself, United Artists and Universal.

The motion, made by Schwartz & Frohlich, Columbia counsel, is returnable Tuesday before Federal Judge Henry W. Goddard. Columbia made a similar motion shortly after the filing of the Government's amended complaint but later withdrew it.

Columbia is also joining in the motion of United Artists and Universal to require the Government to strike from its complaint all reference to the five consenting companies, in the event the Little Three's motions to dismiss are denied. Such a motion was filed earlier by Edward C. Raftery of counsel for United Artists and Universal.

NY Arbitration Panel to Total 50 Members

New York City's arbitration board will have a panel of 50 to 60 arbitrators, the largest number of any of the 31 local tribunals to be set up under the consent decree, the American Arbitration Association reported yesterday.

Other boards located in the Class A cities will have panels of 40 to 50 arbitrators. Boards in the Class B cities will have panels of from 30 to 40, and those in Class C cities will have from 20 to 30 arbitrators.

The consent decree provides that panels of a minimum of 10 arbitrators will be established for each local board. The numerical groupings made by the A.A.A. are the result of advance estimates of the requirements of the various exchange districts and may be increased or decreased as conditions develop after the boards begin to function.

The Class A exchange cities, each of which will have one clerk and several secretaries for the arbitration boards, in addition to the largest panels of arbitrators, are: New York, Chicago, Los Angeles, Detroit, Philadelphia, Boston, Pittsburgh, Cleveland, Cincinnati, Minneapolis, Atlanta. Dallas, San Francisco and Washington, D. C.

(Continued on page 7)

Operators' Local Gets $7,500 Judgment From Brooklyn House on ITOA Pact

An arbitration board headed by Frederick E. Crane, former chief judge of the New York Court of Appeals, has awarded Local 306 of the operators' union a judgment of $7,500 against the operators of the Sheldon, Brooklyn, and costs of $1,146 against the house and the New York I.T.O.A. The case was described as a "key" suit by union officials who disclosed that in the past three months nine independent theatres have attempted to avoid the master I.T.O.A contract signed three years ago by changing ownership of theatres.

The Sheldon, according to Crane's report, was owned by the Adenos Theatre Corp. up to May 15, 1938, when Emmons Amusement Corp. took over and discharged the local's projectionists. Crane ruled that the transfer was not a bona fide sale and ordered the theatre to re-employ the union men.

Coast Flashes

Hollywood, Jan. 2

WILLIAM F. RODGERS, M-G-M general sales manager, arrived here tonight for a week's studio conferences on the Spring production schedule.

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Harry Maislish, manager of KFWB, Warner station here, said today that no definite proposal had been made to him to make the station the Southern California outlet of a new nationwide network being discussed by Ascap, but that such a proposal would find KFWB "more than receptive." Meanwhile, the station took large space in newspapers to inform readers that it is the only local station using Ascap music. The Ascap office here said other independents would sign shortly.

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Elen Kelty, songwriter, today filed a Federal Court suit in Los Angeles for $200,000 damages, alleging plagiarism of her song, "I'd Know You Anywhere," which she said she wrote in 1937. Defendants are RKO, Kay Kyser, Jack Benny, Dennis Day, Bregman, Vocco and Konn, Inc., music publishers, Ascap and 1,000 John Does.

Stein to RKO Theatres

Monroe Stein, formerly of the Cocalis circuit, on Monday will join the RKO Theatres booking department, John J. O'Connor, vice-president in charge of theatres, said yesterday.

Personal Mention

J. CHEEVER COWDIN, Universal board chairman, was called to New York from the Coast by the serious illness of his father. He plans to return to the studio as soon as possible.

•

Mr. and Mrs. Nat Sanders returned yesterday from a two-week vacation in Miami.

•

Jules Levey is scheduled to leave for the Coast today.

•

Woodrow Sherrill, M-G-M booker at Des Moines, is spending a two-week vacation at Richmond, Va.

•

Nat Turberg, manager of the Northio Paramount, Hamilton, Ohio, is confined to his home with the flu.

•

E. C. Grainger, Oscar A. Doob, John W. Hicks, Ralph Austrian, Harry Brandt, Ed Saunders, Charles E. McCarthy J. J. Unger, Milton Kusell, George Weltner and Erno Rapee having lunch yesterday at Nick's Hunting Room in the Astor.

DAVID LIPTON arrived from the Coast on Wednesday and took over his post of advertising and publicity director for Columbia at the home office yesterday.

•

Monroe Greenthal, Martin Moskowitz, Joseph Pincus, Joseph Moskowitz and Hal Young lunching yesterday at Lindy's (51st St.).

•

Barney Balaban, Austin Keough, Neil Agnew, Adolph Zukor, Leonard Goldenson, Tom Connors, John D. Hertz, Jr., John Buchanan, Jack Kirkland, Arthur Krim. Lee Shubert, John Golden, Toby Gruen, Arthur Loew, Clifford Odets, Mort Spring, Luther Adler and Dave Blum lunching at Sardi's yesterday.

•

Max Weisfeldt, Rube Jackter and Lou Weinberg at Lindy's (next to the Rivoli) for lunch yesterday.

•

William J. Heineman, James J. Jordan, Al Margolies, Ray Gallagher, Herb Fecke and James A. Cron lunching at the Tavern yesterday.

Intervene in Film Suit

Birmingham, Ala., Jan. 2.—Federal Judge T. A. Murphree has signed an order here allowing Arthur Mayer and Joseph Burstyn of New York to intervene in the civil suit brought to restrain police seizure of "French Girls Club," which they distribute.

Holiday Grosses Up In Albany Territory

Albany, Jan. 2.—Business between the holidays as well as on both New Year's day and Christmas was far above the similar 10-day period in 1939, both downtown and subsequent theatre managers reported.

Throughout the Albany-Troy-Schenectady area, theatres had a conservative 10 per cent improvement over a year ago with many houses reporting as much as 25 per cent for the holiday season.

Ohio Censor Rejects 33 Reels During '40

Columbus, Jan. 2.—During 1940 the Ohio censor rejected 33 of the 6,210 reels reviewed. A total of 399 eliminations were made. This compares with 42 rejections out of 7,101 reels, with 352 eliminations in 1939.

Of 412 reels, 29 eliminations were ordered last month. In December, 1939, 602 reels were reviewed with 39 eliminations.

Newsreel Parade

PARAMOUNT devotes its entire issue to the four "bowl" games; RKO Pathe to a review of the 1940 *news highlights, and Universal to the sports highlights of* 1940. *The football games and the regular news subjects comprise the issues of Movietone and News of the Day. The contents:*

MOVIETONE NEWS, No. 34—Chief Justice Hughes honored by Jews. Submarine launched in California. Freight train wreck in New York. Prince Olaf with family in Washington. Canadian troops in England. Duke of Kent tours southeast England. Spanish fashions. "Bowl" games.

NEWS OF THE DAY, No. 232—Remains of the Tacoma Bridge. London at night. King George spurs R. A. F. Selassie in England. Hughes honored in Washington. "Bowl" games.

PARAMOUNT NEWS, No. 37—Rose, Cotton, Orange and Sugar Bowl football games.

RKO PATHE NEWS, No. 37—"Review of 1940, A Year of War."

UNIVERSAL NEWSREEL, No. 942—Sports highlights of 1940.

Zanuck Will Attend N. Y. Critics Awards

Darryl F. Zanuck, vice-president in charge of production for 20th Century-Fox, will arrive here tomorrow to attend the annual award party of the New York Film Critics, in the Rainbow Room on Sunday afternoon.

"The Grapes of Wrath," produced by Zanuck, was voted by the critics the outstanding picture of 1940. On the broadcast of the awards from 6:05 to 6:30 P.M., over the NBC Blue, Henry Fonda and Jane Darwell will present a scene from the film. They will be introduced by Nunnally Johnson, scenarist and associate producer.

Folley Examination Set

RKO yesterday filed notice in U. S. District Court that it would examine Irving K. Wolfson and Charles Haar before trial on Jan. 15 in connection with the $750,000 anti-trust suit brought by Folley Amusement Corp. against the eight major companies, Monogram and Republic. The plaintiff claims lack of product forced the closing of the Folly Theatre in Brooklyn.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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ANNIHILATE -- OR OSCULATE
Romero, as the Romeo of the rackets, has a great talent for either of the pastimes.

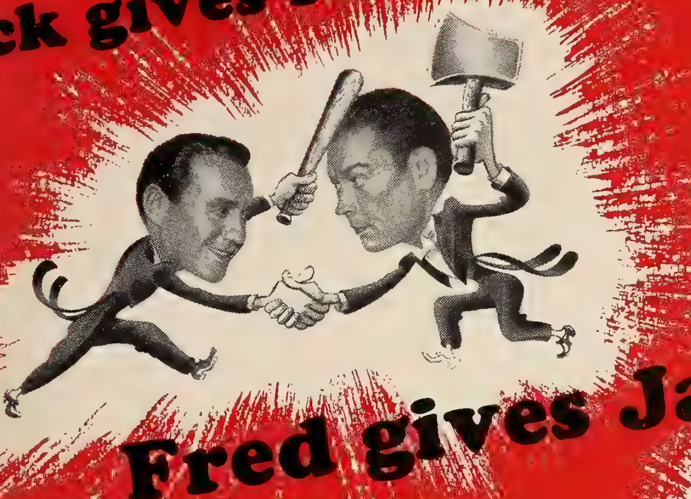
TALL, DARK
and HANDSOME

20th's natural! . . . loaded with laughs! thrills! tunes!

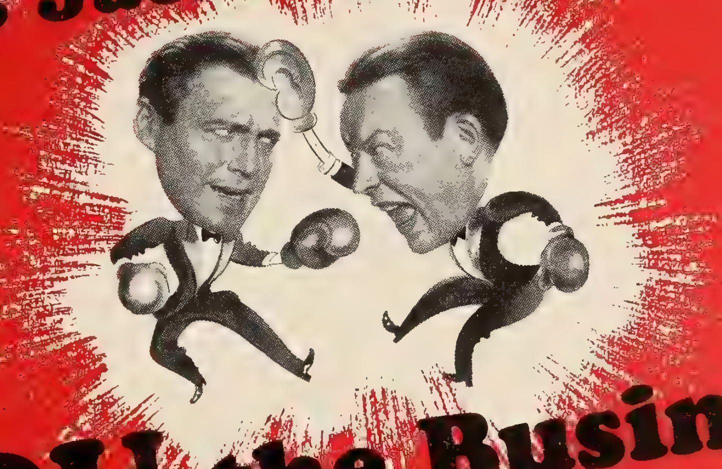
20th CENTURY FOX

Lindy's
INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Jack gives Fred the Business!...



Fred gives Jack the Business!...



they give YOU the Business!

"Love Thy Neighbor" box office returns start pouring in. Figures compiled from every key city just before press-time show "LOVE THY NEIGHBOR" smashing holiday week records everywhere . . . running from 11% to 74% ahead of "Buck Benny Rides Again"...***and at the N. Y. Paramount, it's smashing every holiday record in the history of the house!***

HAPPY NEW YEAR WITH

Jack BENNY · Fred ALLEN

"LOVE THY NEIGHBOR"

with **MARY MARTIN** · Verree Teasdale and **ROCHESTER**

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers · A Paramount Picture

Produced and Directed by MARK SANDRICH

Philadelphia Likes 'Police' $21,000 Worth

PHILADELPHIA, Jan. 2.—In spite of the warm weather, Christmas holiday and the fact that youngsters are home from school kept grosses at holiday levels. "North West Mounted Police" at the Stanley led the field with $21,000. "Thief of Bagdad" at the Aldine drew $14,000.

Estimated takings for the week ended Dec. 25-27:

"Thief of Bagdad" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $14,000. (Average, $9,000)

"Arizona" (Col.)
ARCADIA—(600) (35c-46c-57c) 6 days, 2nd run. Gross: $2,800. (Average, $2,600)

"Second Chorus" (Para.)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $8,300. (Average, $13,000)

"A Night At Earl Carroll's" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Clyde McCoy's orchestra, Three Stooges, Bennett Sisters, and Wayne Gregg. Gross: $18,200. (Average, $14,000)

"Men Against the Sky" (RKO)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Ginger Britton, De Rita & Scannell, Sylvia & Clemence, Park & Clifford and Grandma Perkins. Gross: $7,000. (Average, $6,900)

"Four Mothers" (WB)
FOX — (3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $15,200. (Average, $13,000)

"The Letter" (W.B.)
KARLTON — (1,000) (35c-41c-46c-57c-68c) 4 days, 2nd week, 2nd run. Gross: $3,300. (Average, $3,000)

"Tin Pan Alley" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 3 days, 2nd run, 2nd week. Gross: $2,700. (Average, $4,500)

"North West Mounted Police" (Para.)
STANLEY — (3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. (Average, $14,000)

"Gallant Sons" (M-G-M)
STANTON—(1,700) (35c-46c-57c) 6 days. Gross: $3,100. (Average, $4,500)

'Letter' at $5,800, Minneapolis' Best

MINNEAPOLIS, Jan. 2. — A rearrangement of change days to take advantage of Christmas left many pictures at theatres here for shortened runs, and pre-Christmas receipts were generally low. "The Letter" took $5,800 at the State.

Estimated takings for the week ending Dec. 26:

"The Mark of Zorro" (20th-Fox)
ORPHEUM—(2,800) (28c-39c-44c) 4 days, 2nd week, $2,000. (Average, $5,500)

"The Letter" (W. B.)
STATE — (2,300) (28c-39c-44c) 5 days. Gross: $5,800. (Average, $6,000)

"Escape" (M-G-M)
CENTURY—(1,600) (28c-39c-44c) 5 days, 2nd week. Gross: $1,800. (Average, $4,000)

"Snow White and the Seven Dwarfs" (RKO)
WORLD—(350) (28c-39c-44c-55c) 5 days, 2nd week. Gross: $1,000. (Average, $1,600)

"So You Won't Talk" (Col.)
"Always a Bride" (W. B.)
ASTER—(900) (15c-28c) 6 days. Gross: $1,000. (Average, $1,800)

"Angels Over Broadway' (Col.)
GOPHER—(998) (28c) 6 days. Gross: $1,600. (Average, $2,500)

Raft Returning to W.B.

HOLLYWOOD, Jan. 2.—George Raft will return to the Warner studio in four weeks to start in "Danger Zone," thereby ending his four-month suspension, during which time he has been off the payroll.

New Comedy Opens On B'way Sunday

"First Stop to Heaven," a new comedy by Norman Rosten, opens Sunday night at the Windsor with Alison Skipworth, Taylor Holmes and James Bell featured in the cast. J. Leventhal produced the play.

'Police' Captures $5,000 in St. Louis

ST. LOUIS, Jan. 2.—"North West Mounted Police" drew $5,000 in its third week at the Missouri. It played the Ambassador for two weeks and was moved to the Missouri, dualed with "Tin Pan Alley."

Estimated takings for the week ending Dec. 24:

"Arise My Love" (Para.)
"A Night at Earl Carroll's" (Para.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,000. (Average, $11,500)

"Ellery Queen, Detective" (Col.)
"Give Us Wings" (Univ.)
FOX—(5,038) (30c-40c-50c) 6 days. University of Missouri revue on stage. Gross: $7,300. (Average, 7 days, $11,000)

"The Long Voyage Home" (U. A.)
"The Lone Wolf Keeps a Date" (Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 5 days. Gross: $4,700. (Average, 7 days, $13,000)

"North West Mounted Police" (Para.)
"Tin Pan Alley" (20th-Fox)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,000. (Average, $4,000)

"The Mark of Zorro" (20th-Fox)
"Too Many Girls" (RKO)
ST. LOUIS—(4,000) (25c-35c) 6 days. Gross: $1,500. (Average, 7 days, $2,600)

'Philadelphia' Pulls $6,300, Cincinnati

CINCINNATI, Jan. 2.—Despite generally low grosses in the week before Christmas, "Philadelphia Story" drew $6,300 in six days of the third week at the RKO Palace.

Estimated takings for the week ending Dec. 21:

"Chad Hanna" (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 5 days Gross: 7 days, $6,900. (Average, $12,000)

"Philadelphia Story" (M-G-M)
RKO PALACE—(2,700) (42c-60c) 6 days, 3rd week. Gross: $6,300. (Average, 7 days, at 33c-40c-50c, $5,500)

"Here Comes the Navy" (W. B.)
RKO SHUBERT—(2,150) (33c-40c-50c) 7 days. Gross: $2,100. (Average, $5,000)

"Go West" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 5 days. Gross: $2,400. (Average, 7 days, $5,500)

"The Bank Dick" (Para.)
RKO GRAND — (1,450) (33c-40c-50c) 7 days. Gross: $3,900.

"Tin Pan Alley" (20th-Fox)
RKO LYRIC—(1,400) (28c-33c) 6 days, 3rd week. Gross: $2,000. (Average, 7 days, $4,500)

"Three Men From Texas" (Para.)
"Who Killed Aunt Maggie?" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Youth Will Be Served" (20th-Fox)
"Spies in the Air" (Film Alliance)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)

"South of Suez" (W. B.)
KEITH'S—(1,500) (33c-40c-50c). Gross: $2,700. (Average, $5,000)

Wins Right to Build

ATLANTIC CITY, Jan. 2. — Vice-Chancellor W. Frank Sooy refused to restrain the Circle Amusement Co. of Philadelphia, from proceeding with the erection of a theatre in the Ventnor section. The injunction was sought by resident on the grounds that the proposed theatre building was in violation of the section's residential restrictions.

'Arizona' Gets Good $7,600 In Seattle

SEATTLE, Jan. 2.—Aided by the holiday showgoers, "Arizona" at the Liberty grossed $7,600, and "Comrade X" at the Paramount drew $7,500 with "Dr. Kildare's Crisis." The weather was clear and colder, with little rain.

Estimated takings for the week ending Dec. 27:

"Go West" (M-G-M)
"Too Many Girls" (RKO)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 2nd week, Gross: $3,600. (Average, $4,000)

"The Thief of Bagdad" (UA)
FIFTH AVENUE — (2,500) (30c-40c-50c-65c) 7 days. Gross: $7,500. (Average, $7,000)

"Arizona" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. Gross: $7,600. (Average, $5,000)

"Tin Pan Alley" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,900. (Average, $4,000)

"Trail of the Vigilantes" (Univ.)
"Laddie" (RKO)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,600. (Average, $6,000)

"Give Us Wings" (Univ.)
"Meet the Missus" (Rep.)
PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $4,800. (Average, $5,000)

"Comrade X" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $7,500. (Average, $6,000)

'Bagdad' Scores $7,800, Milwaukee

MILWAUKEE, Jan. 2.—"The Thief of Bagdad" and "The Hit Parade of 1941" took $7,800 at the Warner. "Chad Hanna" and "The Great Profile" drew $8,500 at Fox's Wisconsin. Mild weather helped.

Estimated takings for the week ending Dec. 26-27:

"Second Chorus" (Para.)
"Texas Rangers Ride Again" (Para.)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $4,000. (Average, $4,000)

"Melody Ranch" (Rep.)
RIVERSIDE—(2,700) (33c-44c) 7 days. Stage: Polack's Circus. Gross: $8,200. (Average, $6,500)

"Arise My Love" (Para.)
"Cherokee Strip" (Para.)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,500. (Average, $1,500)

"The Thief of Bagdad" (U. A.)
"Hit Parade of 1941" (Rep.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $7,800. (Average, $4,500)

"Chad Hanna' (20th-Fox)
"The Great Profile" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $8,500. (Average, $5,500)

'Thief' Is Toronto Winner at $15,500

TORONTO, Jan. 2.—"The Thief of Bagdad," aided by a one-day personal appearance of Sabu, grossed $15,500 at the Uptown. "Love Thy Neighbor" took $12,500 at the Imperial.

Estimated takings for the week ending Dec. 28:

"Love Thy Neighbor" (Para.)
IMPERIAL—(3,373) (15c-25c-35c-50c-65c) 6 days. Gross: $12,500. (Average, $9,000)

"Flight Command" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $10,500. (Average, $9,000)

"The Bank Dick" (Univ.)
"Give Us Wings" (Univ.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $9,000. (Average, $7,500)

"Arise My Love" (Para.)
"Dancing on a Dime" (Para.)
TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $4,400. (Average, $3,900)

"The Thief of Bagdad" (U. A.)
UPTOWN—(2,761) (15c-25c-35c-50c-65c) 6 days. Gross: $15,500. (Average, $9,000)

'Arizona' Is Frisco Lead With $13,800

SAN FRANCISCO, Jan. 2.—"Arizona," paired with "I'm Nobody's Sweetheart," drew $13,800 at the Orpheum. "Flight Command" and "Gallant Sons" drew $15,500 at the Fox. Heavy rains lasted through the week.

Estimated takings for the week ending Dec. 24-27:

"San Francisco Docks" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $14,000. (Average, $15,000)

"Flight Command" (M-G-M)
"Gallant Sons" (M-G-M)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $15,500. (Average, $16,000)

"Arizona" (Col.)
"I'm Nobody's Sweetheart Now" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $13,800. (Average, $8,000)

"Second Chorus" (Para.)
'Melody Ranch" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $12,000. (Average, $11,500)

"Kit Carson" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $6,900. (Average, $8,000)

"Go West" (M-G-M)
"Christmas in July" (Para.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $6,000)

"Chad Hanna" (20th-Fox)
"Youth Will Be Served" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $12,800. (Average, $12,000)

"Time in the Sun" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $800. (Average, $1,000)

'Comrade X' Draws $10,000 in Detroit

DETROIT, Jan. 2.—Special programs which opened Christmas Day cut most bills to five days. The United Artists took in $10,000 with "Comrade X" and "The Long Voyage Home" in 7 days.

Estimated takings for the week ending Dec. 26:

"Tin Pan Alley" (20th-Fox)
"Give Us Wings" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 5 days, 2nd week. Gross: $4,000. (Average, 7 days, $5,500)

"Arise My Love" (Para.)
"Wyoming" (M-G-M)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $5,800. (Average, $7,000)

"Escape To Glory" (Col.)
"One Night in the Tropics" (Univ.)
FOX—(5,000) (20c-55c-65c) 5 days. Gross: $10,000. (Average, 7 days, $15,000)

"The Letter" (WB)
"Captain Caution" (UA)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 5 days, 2nd week. Gross: $7,500. (Average, 7 days, $12,000)

"North West Mounted Police" (Para.)
"A Night At Earl Carroll's" (Para.)
PALMS—(3,000) (25c-39c-44c-55c) 5 days, 2nd week. Gross, $6,000. (Average, 7 days, $7,000)

"Comrade X" (M-G-M)
"The Long Voyage Home" (UA)
UNITED ARTISTS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $10,000)

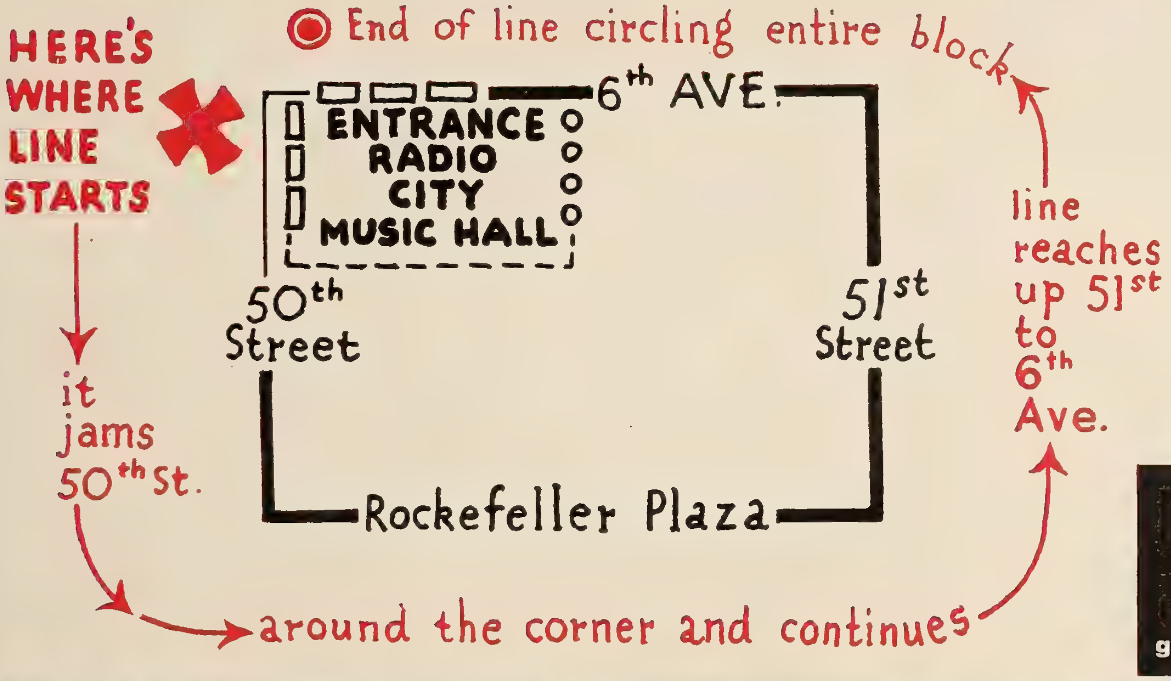
Merian Cooper Here

Merian C. Cooper, producer, has arrived from the Coast to obtain additional data for "The Eagle Squadron," which he will produce at the Walter Wanger studio.

Radio City Music Hall Sets New Record!

"PHILADELPHIA STORY" LINES REACH COMPLETELY AROUND CITY BLOCK!

Sensational M-G-M hit creates unique street spectacle!



End of line circling entire block
HERE'S WHERE LINE STARTS
ENTRANCE RADIO CITY MUSIC HALL
6th AVE.
50th Street
51st Street
Rockefeller Plaza
it jams 50th St.
around the corner and continues
line reaches up 51st to 6th Ave.

2d WEEK!
and still going strong!

RADIO CITY
THE PHILADELPHIA STORY
RADIO CITY

Inner lobby packed! Outside line starts here and waits patiently four abreast on East 50th Street.

Turning the corner at Rockefeller Plaza and continuing around on West 51st Street.

RADIO CITY
RADIO CITY

This is West 51st Street approaching 6th Avenue where circle is completed first time in history.

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 6	Thundering Frontier (O) *Chas. Starrett* *Iris Meredith*	Go West (M) 114 *Marx Brothers* *Diana Lewis*		Night at Earl Carroll's (C) *Ken Murray* *Lillian Cornell*	Border Legion (O) 053 *Roy Rogers* *Gabby Hayes*	The Fargo Kid (O) 182 *Tim Holt*	Charter Pilot (D) 118 *Lloyd Nolan* *Lynn Bari*		Margie (C) 5026 *Tom Brown* *Nan Grey*	She Couldn't Say No (C) 571 *Roger Pryor* *Eve Arden*
Dec. 13	Great Plane Robbery (D) *Jack Holt* *Vicki Lester*	Comrade X (C) 113 *Clark Gable* *Hedy Lamarr*		Texas Rangers Ride Again (O) *John Howard* *Ellen Drew*	Barnyard Follies (C) 008 *Mary Lee* *Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler* *Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone* *B. Crawford*	
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*		Pride of the Bowery (D) Chamber of Horrors (D)		Behind the News (D) 009 Lone Star Raiders (O)	No, No, Nanette (M) 114) *Anna Neagle* *Zasu Pitts*	Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) 5025 *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows* *E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*	Kitty Foyle (D) 112 *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*		Convoy (D) 161 *Clive Brook* *John Clements*	Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*		Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*	Son of Monte Cristo (D) *Joan Bennett* *Louis Hayward*	San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) *Frank Morgan* *Mary Howard*	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) *H. Bogart* *Ida Lupino*
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Back Street (D) *Charles Boyer* *M. Sullavan*	
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*			You're the One (M) *Bonnie Baker* *Orrin Tucker*		Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) *E. Pallette*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	
Feb. 14	Adam Had Four Sons (D) *Warner Baxter* *Ingrid Bergman*			The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	Petticoat Politics (C) *Higgins Family*	Citizen Kane (D) 118 *Orson Welles*	Golden Hoofs (C) *Jane Withers* *Buddy Rogers*		Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	
Feb. 21	Return of Boston Blackie (D) *Chester Morris*			Virginia (O) *F. MacMurray* *M. Carroll*		Show Business (C) 119 *Alan Mowbray* *Donald MacBride*	Western Union (D) *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	

HAPPY NEW YEAR WITH PARAMOUNT SHORTS!

December 20
Magnacolor
'POPULAR SCIENCE No. 3'

December 27
Fascinating Journeys
'THE SACRED GANGES'
(Technicolor)

December 27
Paragraphic
BREEZY LITTLE BEARS'

January 3
Grantland Rice Sportlight
'FEMININE FITNESS'

100% BOX OFFICE TESTED!

See Early Solution Of English Problem

LONDON, Jan. 2.—An ultimate solution of the war relief problem for English theatres was indicated by the harmony which characterized yesterday's joint discussion of the matter between representatives of the Cinematograph Exhibitors Association and Kinematograph Renters Society (distributors).

Future meetings will be held, although each group first must report to its executive body. Much of the spirit of harmony is said to have been due to the conciliatory attitude of Sam Smith, president of the K.R.S. He expressed the belief that an amicable solution would be reached.

It is understood K.R.S. members already are supplying films for the Army Council plan of mobile theatres and the latter are operating with the approval and collaboration of the trade.

'Chad Hanna' Draws $9,000 in Baltimore

BALTIMORE, Jan. 2.—Midweek holiday openings shifted the regular schedules, and most of the theatres started their new attractions on Christmas Day. For the week prior to Christmas, box-office returns were off. The weather was unseasonably mild. "Chad Hanna" drew $9,000 at the New.

Estimated takings for the week ending Dec. 26:

"The Long Voyage Home" (U. A.)
CENTURY—(3,000) (15c-28c-44c) 5 days. Gross: $5,300. (Average, $10,000)
"The Bank Dick" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $10,000. (Average, $9,000)
"Chad Hanna" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $9,000. (Average, $7,000)
"Four Mothers" (W. B.)
STANLEY — (3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $13,000. (Average, $12,000)
"A Night in the Tropics" (Univ.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 5 days. On stage: "Baltimore Follies" made up of local talent. Gross: $12,000. (Average, $14,000)

Indianapolis Gives 'July', Show $9,000

INDIANAPOLIS, Jan. 2.—"Christmas in July" on the screen and "Streets of Paris" on the stage drew $9,000 at the Circle. The weather was warm.

Estimated takings for week ending Dec. 24-26:

"Christmas in July" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Stage: Streets of Paris revue with "Think-a-Drink" Hoffman, Sid Marion, Cliff Hall, Hylton Sisters, Frank and Jean Hubert, Ernesto & Talia, Anne Crosby, Petty Alexander, Petch & Deauville. Gross: $9,000. (Average, $6,000)
"Dr. Kildare's Crisis" (M-G-M)
"Angels Over Broadway" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 5 days. Gross: $3,600. (7-day average, $7,000)
"Lady With Red Hair" (W. B.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Larry Clinton Orchestra, with Terry Allen, Peggy Mann, Jimmy Currie and the Carr Brothers. Gross: $7,700. (Average, $8,000)

Photographers Plan Annual Party Feb. 14

The Press Photographers Association of New York, Inc., will hold its 12th annual dance and entertainment on Feb. 14, St. Valentine's Day, in the grand ballroom of the Hotel Astor.

Stars of screen, stage and radio will participate in the affair. Approximately 3,500 are expected.

NBC Splits Blue, Red Press Units

Following the trend toward complete separation of NBC's Red and Blue networks, Frank E. Mason, vice-president in charge of the information department, yesterday announced the division of the press department into separate sections for each network. At the same time, Mason disclosed that William Kostka, manager of the New York press department, had been named coordinator for NBC press and publicity activities on a national basis.

The present NBC news sheet will be discontinued Monday and in its place each network will issue its own. Richard Spencer, assisted by Charles Pekor, will head the Red setup, and Art Donegan, assisted by Benson Pratt, will head the Blue. Emil Corwin and Warren Gerz will be assistant editors.

Earl Mullin, assistant press manager, will coordinate the functions of both sections and Florence Marks will act as photo editor. The new press sheets will be mailed to all newspapers over the country instead of merely to Eastern papers. In addition, a bi-weekly general feature service will be mailed on alternate Fridays.

Other changes in the publicity department include John Briggs leaving Monday to act as music critic for the New York *Post*, and Ed Nickels leaving next week to act as assistant to Lester Gottlieb, Mutual publicity director, in the place of Fred Mears who will join the air force on Jan. 15.

Pratchett Due for Parley With Hicks

Arthur Pratchett, Paramount Central American manager will arrive Monday from Mexico City to confer with John W. Hicks, vice-president and foreign manager, on arrangements for the company's Latin American convention in Panama on Feb. 6.

Hicks and Pratchett are scheduled to leave Jan. 12 for Mexico and the Panama meeting. Hicks will continue to South America thereafter.

Benito del Villar, Paramount managing director for Chile, Peru and Bolivia, arrived from South America yesterday for a month's visit, following which he will go to Panama for the company meeting.

N. Y. Panel Will Have 50 Members

(*Continued from page* 1)

Class B cities whose arbitration boards will have a clerk and one secretary each, and panels of 30 to 40 arbitrators, are: Albany, Buffalo, Milwaukee, Kansas City, St. Louis, Charlotte and Seattle.

The Class C cities, whose boards will have a clerk but no secretaries, and panels of 20 to 30 members are: New Haven, Indianapolis, Des Moines, Omaha, New Orleans, Memphis, Salt Lake City and Portland.

Charter New Circuit

COLUMBIA, S. C., Jan. 2.—D. & M. Amusement, Inc., capitalized at $10,000, has been formed to conduct places of amusement. W. T. Martin is president.

CBS Year Billings Record $41,025,549

Marking the first time that any single network has passed the $40,000,000 mark, CBS gross billings for the year 1940 totaled $41,025,549, an increase of 18.8 per cent over the 1939 total of $34,539,665. During the final month, December, billings were $3,819,989, an increase of 8.2 per cent over the same month in 1939.

Para. Meetings on Decree Start Today

(*Continued from page* 1)

until the end of January because he is to represent Paramount at the trial of the LaCrosse anti-trust suit against the company, which is scheduled to open in Federal court at Madison, Wis., on Monday. Phillips will leave for Madison tonight. At the conclusion of the LaCrosse trial he is scheduled to defend Paramount in a plagiarism suit in Federal court at Chicago.

Indications are that Paramount will realign its sales organization on a pattern similar to that adopted recently by others, possibly including the creation of new sales divisions and a reshuffling of the branches to effect closer supervision and contact by home office executives.

The recent appointment of C. J. Scollard as executive assistant to Agnew is a part of the company's plans for revised sales operations under the decree. The addition of Joe Philipson, former head of the J. H. Cooper Circuit office here, and Jack Bannan, formerly associated with Sam Dembow at Paramount theatres and National Screen Service, to the home office distribution department, effective Monday, is regarded similarly.

'Long Voyage' at $8,500 in Buffalo

BUFFALO, Jan. 2.—"The Long Voyage Home" and "A Night at Earl Carroll's," with $8,500 at the Great Lakes, was the only bill here to draw better than average business.

Estimated takings for the week ending Dec. 24:

"Lady With Red Hair" (W. B.)
"Charter Pilot" (20th-Fox)
BUFFALO—(3,489) (35c-55c) 5 days. Gross: $8,800. (Average, $12,000)
"The Long Voyage Home"
"A Night At Earl Carroll's" (Para.)
GREAT LAKES—(3,000) (35c-55c) 5 days. Gross: $8,500. (Average, $7,500)
"Little Nellie Kelly" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 5 days. Gross: $3,000. (Average, $6,800)
"Melody Ranch" (Rep.)
"Wildcat Bus" (RKO)
TWENTIETH CENTURY—(3,000) (30c-40c) 5 days. Gross: $4,400. (Average, $7,500)
"Girl From Havana" (Rep.)
"Fugitive From a Prison Camp" (Col.)
LAFAYETTE—(3,000) (30c-40c) 6 days. Gross: $4,000. (Average, $6,300)

'Destiny' to Music Hall

Warners' "Flight from Destiny" has been booked for the Radio City Music Hall in March.

No Settlement In U. S. Music Prosecutions

(*Continued from page* 1)

erable expense to the Government as well as the defendants.

Meanwhile, John G. Paine, Ascap general manager, struck the first blow in the radio music battle by instructing the society's attorneys, Schwartz & Frohlich, to bring an infringement suit against the Texas Co. and CBS and all affiliated stations which carried the Fred Allen "Texaco Star Theatre" program Wednesday night. Paine declared that there was an infringement of the song "Wintergreen for President" from "Of Thee I Sing."

BMI, for its part, stated that a national checkup of the 675 stations which used its music revealed that the listening audience was unaware of any change from Ascap to non-Ascap music over the air. The checkup was made by the stations, private agencies and newspapers, it was said, with the same result in all cases. Particular stress was placed on independent surveys made by the New York *Times* and the Philadelphia *Record*.

Many Unaware of Ascap-BMI Fight

An informal poll conducted by the *New York Times* to discover whether radio listeners picked at random had missed Ascap songs on the air since New Year's Eve resulted in the discovery that most persons were unaware that a dispute between Ascap and the networks existed and many others were infrequent radio listeners.

U. S. Court Upholds Wisconsin License Law

MILWAUKEE, Jan. 2. — Federal Judge F. Ryan Duffy today upheld a 1935 Wisconsin law which requires music brokers to obtain licenses from the state and pay a 25 per cent franchise tax on fees collected in the state. The case involved Leo Feist, Inc., music publisher, against Wiley Young, West Allis tavern keeper. Feist sought a $250 copyright infringement fee from Young, who filed a counter claim charging neither Feist nor Ascap had obtained state licenses. Young is president of the Tavern Music Protective Ass'n of Wisconsin, organized a year ago to combat Ascap.

NLRB Rejects Plea Of Columbia Group

WASHINGTON, Jan. 2.—First National Labor Relations Board order of the new year was the rejection of a petition of the janitors and matrons employed by Columbia Pictures in Hollywood for certification of the Columbia Pictures' Maintenance Association as collective bargaining agent.

PREEMINENT

ALL three Eastman negative films make important contributions to the startling beauty of today's screen productions. Unvarying dependability and wide latitude make them the established favorites of critical cameramen. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 3 NEW YORK, U. S. A., MONDAY, JANUARY 6, 1941 TEN CENTS

Gov't Music Trial Delayed Until Spring

Due to Crowded Calendar In Milwaukee Court

Milwaukee, Jan. 5.—The Government's projected criminal proceedings against Ascap, NBC, CBS, and B.M.I. on anti-trust charges, which may be filed here this week, cannot come to trial before Spring because of the crowded condition of the local Federal court calendar during January and February.

This was learned following Government statements in Washington and New York last week that the action would be instituted here instead of in New York because an early trial could not be obtained in the latter city.

The Government is expected to file a criminal information instead of laying the case before the grand jury, which will not convene here until Jan. 14. Under this procedure, it was said, the Government would not be compelled to bring witnesses from

(*Continued on page* 8)

Weshner to UA as Exploitation Chief

David E. (Skip) Weshner, supervisor of key-run theatres for Warner Bros., in Philadelphia, will leave that company on Jan. 10, to take a new position with United Artists here, that of director of exploitation. The appointment was made by Monroe Greenthal, director of advertising and publicity.

Maurice Gable, manager of the Boyd, Philadelphia, has been appoint-

(*Continued on page* 4)

300 at Presentation Of Critics' Awards

The New York Film Critics presented their 1940 awards before 300 guests at a cocktail party at the Rainbow Room yesterday afternoon. Bosley Crowther of the New York *Times*, president of the critics, was master of ceremonies.

The ceremonies were broadcast

(*Continued on page* 4)

Four Reviews Today

A Hollywood review of "The Saint in Palm Springs" and New York reviews of "Wyoming Wildcat," "Break the News" and "Hotel du Nord" will be found on Page 5.

Atlas-Meehan Deal 7,000 KAO Shares

In the deal recently made between Atlas Corp. and M. J. Meehan, Atlas purchased outright approximately 7,000 shares of the Keith-Albee-Orpheum preferred stock held by Meehan. This is about 25 per cent of the total Meehan holdings in KAO preferred. Atlas is reported to have paid about $725,000 for this stock. The remaining shares held by Meehan are under option, by terms of the same deal, for an aggregate amount of approximately $2,500,000, according to Wall Street authorities.

20th-Fox to Stress U.S. Themes: Zanuck

Chicago, Jan. 5.—Twentieth Century-Fox will produce films stressing American themes and with Latin American appeal in an effort to regain some of the revenue lost in foreign markets, Darryl F. Zanuck, vice-president in charge of production, said here while passing through en route East.

He expressed the belief that "Tobacco Road" would be the most successful picture produced by the company.

(*Continued on page* 4)

'U' Will Deliver 63 Promised for Season: Blumberg

Hollywood, Jan. 5.—Universal will deliver its full schedule of 63 pictures for the current season, Nate J. Blumberg, president, said today at the end of the second week of studio production conferences in which home office and production executives are participating.

Blumberg said that 39 of the 63 pictures promised have been completed and that eight more will have been finished by the middle of February, leaving 16 pictures to be produced between Feb. 15 and Aug. 31.

Strong Production Position

"Our production position has never been better," Blumberg said. "The exhibitor response to our current season's program has encouraged us to increase budgets and elaborate plans on quite a few of the remaining productions for the season."

Participating with Blumberg in the conferences, which will continue through this week, are: W. A. Scully, Joseph Seidelman, Lou Pollock and Adolph Schimel from the home office, and Cliff Work, Matthew J. Fox, John Joseph and other studio officials. J. Cheever Cowdin, Universal board chairman, who was called to New York last week, is expected to rejoin the conferees within a few days.

2,500 Theatres Join Film Committee to Aid Defense

Joseph Bernhard

Approximately 2,500 theatres have joined the Theatres Division of the Motion Picture Committee Cooperating for National Defense, headed by Joseph Bernhard, general manager of Warner Theatres. The committee is seeking a signed pledge of cooperation from every exhibitor in the country. Harry Brandt is chairman of the organization committee supervising the field work.

The committee has prepared plaques to be hung in the box-office window of every theatre cooperating. The plaque, in a color scheme of red, white and blue, and surmounted by the figure of an eagle, indicates that the theatre is a member of the Theatres Division in the cooperative defense effort.

E. V. Richards is co-chairman of the division, which includes the following:

Executive Committee — Joseph Bernhard, E. V. Richards, A. H. Blank, Harry Brandt, Si Fabian, John H. Harris, Ed Kuykendall, C. C. Moskowitz, Sam E. Morris, John J. O'Connor, R. J. O'Donnell, Spyros Skouras, R. B. Wilby, Nathan Yamins.

Coordinating Committee—R. B. Wilby, chairman; A. H. Blank, C. C. Moskowitz, E. V. Richards, Spyros Skouras.

Organization Committee — Harry Brandt, chairman; John H. Harris,

(*Continued on page* 4)

New Booking, Blind Buying Bill in House

Rep. Culkin's Measure Similar to Others

Washington, Jan. 5.—A bill to prohibit block booking and blind buying was introduced in the House on Friday by Rep. Francis D. Culkin of Oswego, N. Y., who had a similar measure last session. This was one of more than 1,100 bills introduced on the first day of the new session.

Rep. Culkin has been introducing similar "catch-all" bills for the past several sessions, all providing for sweeping reforms in production, distribution and exhibition. They have received little support.

There were no administration tax bills introduced, although it is expected that the Treasury will seek an increase in present taxes, including the admission tax.

Most of the measures introduced Friday were pending before Congress

(*Continued on page* 4)

'Big 5' Dismissed In Nashville Case

Nashville, Jan. 5.—The five major companies which are parties to the Government's consent decree in the New York anti-trust suit were dismissed on Friday as defendants in the Federal anti-trust suit pending here against Crescent Amusement.

The dismissals, approved by Federal Judge Elmer Davies, were made

(*Continued on page* 4)

Selznick Completes New Organization

Hollywood, Jan. 5.—Organization of David O. Selznick Productions was completed here yesterday with the election of officers. The new company replaces the recently dissolved Selznick International, Inc.

Officers are: Selznick, president;

(*Continued on page* 4)

1940 Stocks Review

A review of motion picture stock movements during 1940 and a tabulation showing the prices of film securities comparatively over a five-year period are on Page 6.

Jarratt En Route on Confidential Mission

London, Jan. 5.—Arthur Jarratt, head of the Gaumont British Circuit, and chief of the Royal Naval Film Corp., is en route to the United States by boat. His visit is confidential, and the purpose of his trip is unknown here.

Barney Balaban Will Be Honored by Ampa

Barney Balaban, Paramount president, will be guest speaker at the next Ampa open meeting, to be held on Thursday at 12:45 P.M., at the Hotel Edison.

On the dais at the meeting, in addition to Balaban, will be: Adolph Zukor, Paramount board chairman; Stanton Griffis, chairman of the executive committee; Austin C. Keough, vice-president and secretary; and John W. Hicks, Jr., vice-president and foreign manager. Jean Hersholt and Osa Massen also will be Ampa guests at the luncheon meeting, according to Leon Bamberger, Ampa president.

Metzel Rites Held

PHILADELPHIA, Jan. 5.—Funeral services were held today for George W. Metzel, 64, prominent in theatrical circles and former manager of the Erlanger, who died last Thursday. He was also local representative of the Actors Fund of America. His wife survives.

Personal Mention

AL LICHTMAN, vice-president of Loew's, left by train Friday night for the Coast after home office conferences. HOWARD DIETZ, M-G-M director of advertising and publicity, accompanied him.

•

HERMAN ROBBINS, president of National Screen Service, returns today from a Miami Beach vacation.

•

MR. and MRS. MAX A. COHEN leave for California about Jan. 15. They will visit in Dallas on the way.

•

EDWARD SAUNDERS, M-G-M Western division manager, has left for a tour of his territory which will culminate in Los Angeles. He will be gone about three weeks.

•

CHARLES K. STERN, assistant treasurer of Loew's, is due back from Honolulu at the end of the week.

•

HAL HORNE, vice-president of Walt Disney Prod., returned from Chicago over the weekend.

•

STANLEY HAND, Altec staff representative, is vacationing in Florida.

CHARLES SKOURAS and ANDY KRAPPMAN of Fox West Coast Theatres return to the Coast this week.

•

JOHN P. O'LEARY, son of J. J. O'LEARY, general manager of Comerford Theatres Corp., was married to CECELIA FRANCES MAY at St. Peter's Cathedral, Scranton, Pa., last week.

•

BEN WASHER spent the weekend in Boston looking at shows.

•

H. M. RICHEY, assistant to WILLIAM F. RODGERS, M-G-M general sales manager, leaves this week for the studio, with stopovers en route.

•

THAD C. BARROWS, president of the Boston operators' union, Local 182, was a weekend visitor here.

•

LOUIS DE ROCHEMONT, producer of the March of Time, has returned from his farm near Portsmouth, N. H., where he spent the holidays.

•

MRS. FRED QUATRANO, wife of the owner of the Lido, Waterbury, Conn., has returned home after an operation at the Waterbury Hospital.

M. P. Bookers to Install

The newly elected officers of the Motion Picture Bookers Club will be installed tonight at a dinner at the Cafe Loyale. Members and guests will attend. Harold Klein is president of the organization.

Will Honor Pielow In Albany Jan. 13

ALBANY, Jan. 5.—A testimonial banquet for Ralph Pielow, newly appointed M-G-M branch manager at New York, and former branch manager here, will be held at the DeWitt Clinton Hotel here Jan. 13. Local theatre and distribution executives are sponsors of the testimonial.

Clayton Eastman, Paramount branch manager, is chairman of the dinner committee. Arthur Newman, Republic branch manager, is treasurer. Members of the committee include M. J. Kallett, William Smalley, Moe Silver, Charles Smakwitz, Lou Golding and local exchange managers.

'Fantasia' Opens at Aldine, Phila., Feb. 7

PHILADELPHIA, Jan. 5.—"Fantasia" will open at the Aldine here Feb. 7 on a reserved seat policy. The price scale is not set as yet. The house will go dark after the current run of "The Thief of Bagdad" for renovations and to install the sound system for "Fantasia." It is a United Artists house operated by Warners and leased to Walt Disney for an unlimited engagement of the picture.

W. B. Ad Sales Drive Set

A special advertising accessories sales drive is under way at Warners in conjunction with the "20th Year for Sears" sales drive now in progress. It will run 17 weeks, from Dec. 28 to April 19.

PENTHOUSE AND
ATTRACTIVE OFFICES
AVAILABLE AT
REASONABLE RENTAL
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John Groth
"DON'T BE SHY, JUNIOR!"
Cesar Romero, as the Romeo of the rackets, solves crisis in lives of new-found wards.
TALL, DARK and HANDSOME
20th's natural! . . . loaded with laughs! thrills! tunes!
20th CENTURY FOX

Committees Named In Paralysis Drive

Sub-committees to handle the theatre participation of the New York Exchange Committee in the national drive against infantile paralysis, held in conjunction with the President's Birthday, were appointed on Friday at a meeting at the Hotel Astor.

A total of 1,180 theatres, circuit and independent, in the New York exchange territory will participate in the one-week drive, starting Jan. 16.

Harry Brandt is chairman of the committee; C. C. Moskowitz, co-chairman, and Si Fabian treasurer. Committee chairmen in the various areas include:

Manhattan—Martin Levine and Leo Brecher; Bronx—Laurence Bolognino and Joseph Katsh; Brooklyn—Sam Rinzler and David Weinstock; Queens—Frank Moscato and Sam Strausberg; Long Island and Staten Island—Si Fabian; Upstate—Max A. Cohen; New Jersey—J. J. Thompson and Harry Hecht.

Boxes to be placed in the lobbies and other parts of the theatres will be supplied for the contributions of patrons. In addition a one-minute trailer, starring Spencer Tracy, for insertion in the newsreels, will be supplied, and 300,000 buttons have been struck off to be given to contributors.

Hays to Coast for Producers' Meeting

Will H. Hays, president of the M.P.P.D.A., will leave for the Coast at the end of this week to attend the annual meeting of the Association of Motion Picture Producers later this month.

The adjourned meeting of the M.P.P.D.A. board tomorrow, at which Hays is expected to preside, will conclude the final quarterly sessions begun Dec. 15.

Elson Named Chief of Trans-Lux Houses

Norman B. Elson, general sales manager of Film Alliance of the U.S., has been appointed general manager of Trans-Lux Theatres, Major L. E. Thompson, president of Trans-Lux Movies Corp., announced over the weekend. The position is a newly created one. Elson will retain his Film Alliance post.

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DAILY
(Registered U. S. Patent Office)

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WE THE PEOPLE

Of This Great Country

We have more automobiles . . . more telephones . . . more refrigerators . . . more bathtubs . . . more radios . . . more freedom . . . more of everything that makes for good living than any people on earth.

And we have more movie theatres . . . more movies and better movies . . .

Advertising has done more than its share toward making this so . . .

You're in the movie business . . . selling to the masses.

We're in the advertising business helping you sell those same pictures to those same masses with Trailers—Lobby Displays—Standard Theatre Accessories—a complete coordinated powerful seat-selling service . . .

Let's get together!

NATIONAL SCREEN SERVICE
Advertising Accessories, Inc.
NATIONAL SCREEN ACCESSORIES

New Booking, Blind Buying Bill in House

(Continued from page 1)

last year. But in contrast with previous sessions there was little legislation brought in relating to either films or radio, although it is probable that additional measures will be submitted as the session gets under way.

Amendment of the Communications Act to prohibit excessive duplication of programs in any area and prevent monopoly is proposed in a bill introduced by Rep. J. Hardin Peter of Florida. Rep. J. William Ditter of Pennsylvania introduced a bill to amend the Act "to preserve and protect liberty of expression" in radio communication.

Rep. Culkin also introduced a number of bills dealing with liquor, one of which would prohibit liquor advertising on the radio.

Rep. James P. McGranery of Pennsylvania reintroduced his bill to establish a Bureau of Fine Arts in the Interior Department, which would set up a national theatre and other projects with Government subsidy.

'Big 5' Dismissed In Nashville Case

(Continued from page 1)

upon stipulations of Government and defense's counsel. The same procedure was followed in dismissing the 'Big 5' from the Oklahoma City anti-trust suit against Griffith Amusement Co. last month.

Judge Davies also approved an order directing that Paragraphs 50 to 53 inclusive in the Government's complaint be stricken from the bill. The parts removed related to alleged methods of film distribution by the five companies, Loew's, Paramount, RKO, 20th Century-Fox and Warners.

The dismissals leave Columbia, United Artists and Universal as defendants with Crescent in the action here.

A similar procedure is scheduled to be followed in eliminating the five consenting companies as defendants in the other remaining Government anti-trust suit, that against the Schine Circuit at Buffalo.

20th-Fox to Stress U.S. Themes: Zanuck

(Continued from page 1)

Zanuck said he believes the national defense program will aid theatre business materially.

The company's production schedule and budget for 1941-'42 are being formulated at the studio now, he said. On his return there he will confer with Sidney R. Kent, president, on next season's program. The next picture to be put in work will be "The Great Broadcast."

Zanuck, who arrived in New York Saturday, plans to leave for the Coast tonight by plane.

2,500 Theatres Join Film Committee to Aid Defense

(Continued from page 1)

Ed Kuykendall, John J. O'Connor, Nathan Yamins.

Sub-Committee for Field Organization—John Balaban, E. C. Beatty, Carl Buermele, William F. Crockett, Jay Emanuel, Si Fabian, Harold Fitzgerald, John Friedl, Julius Gordon, L. C. Griffith, Jack Kirsch, Ed Kuykendall, Ike Libson, M. A. Lightman, Frank Newman, R. J. O'Donnell, Samuel Pinanski, Robert H. Poole, Elmer Rhoden, Rick Ricketson, Samuel Rinzler, John Rugar, Meyer Schine, Fred Schwartz, Mort Singer, William Skirball, Charles Skouras, Roy Walker.

Philadelphia Exhibitors Meet Jan. 28 on Defense

PHILADELPHIA, Jan. 5.—Local exhibitors will meet Jan. 28 at the Broadwood Hotel to formulate local plans of the Motion Picture Committee Cooperating for National Defense.

The local committee, headed by Jay Emanuel, includes Sidney E. Samuelson, Ted Schlanger, Lewen Pizor, John Nolan, William Wilson, William Goldman, David Barrist and Samuel Barbalow. Harry Brandt, R. B. Wilby, Nathan Yamins and E. V. Richards of the national executive committee will address the meeting.

W. B. Reading Houses Reverting to Schad

READING, Pa., Jan. 5.—Harry J. Schad will take over the active operation of the Astor, Strand and Santoy here on May 1, at which time the 10-year leases now held by Warner Theatres will expire. Negotiations for a renewal of the leases have failed.

Schad, a member of the firm of Carr and Schad, builders and operators of houses in Reading in the early days of the screen industry, owns the three houses. When Carr died Schad continued the exhibition part of the firm's operation and 10 years ago houses in the Carr and Schad group were leased to the Warners. Improvements costing $75,000 will be made at the Astor and Strand, said Schad. The Santoy is dark.

Janitors Picketing 3 Detroit Theatres

DETROIT, Jan. 5.—Pickets who started their march in front of three downtown theatres controlled by United Detroit Theatres on New Year's eve are continuing their parade. The Building Service Employes' union claims the management refused to recognize it pending arbitration of a contract. The union seeks a contract for 85 janitors and maintenance men employed by the circuit, which says it does not believe a majority are members of the union.

Schenck Trial Feb. 10

U. S. Attorney John T. Cahill on Friday announced that trial of the Government suit against Joseph M. Schenck, chairman of the board of 20th Century-Fox Film Corp., will start Feb. 10.

300 at Presentation Of Critics' Awards

(Continued from page 1)

over WJZ and the Blue network of NBC from 6:05 to 6:30 P. M.

Darryl F. Zanuck, vice-president in charge of production for 20th Century-Fox, came from the Coast and received the best picture of the year award for "The Grapes of Wrath." A broadcast from the Coast then featured the acceptance of an award for "Fantasia" by Walt Disney, and that of John Ford for the best direction.

'Grapes' Stars Heard

Nunnally Johnson, associate producer and scenarist on "The Grapes of Wrath," then introduced from the Coast Henry Fonda and Jane Darwell, two of the film's stars, who presented a scene from the film.

Katharine Hepburn, on tour with the play, "Philadelphia Story," offered a scene from the film adaptation of the play, for her performance in which she received the best actress award. She broadcast from Dallas.

Robert Hakim, one of the Hakim Brothers, who distributed "The Baker's Wife" in France, received the best foreign film award on behalf of Marcel Pagnol, who produced the film in France.

Chaplin Stays Away

The failure of Charles Chaplin, whose performance in "The Great Dictator" was voted the best of the year by a male actor, to appear at the awards gathering left the critics obviously riled. A story in the *New York Times* which appeared prior to the affair said that Chaplin had not acknowledged either the award or the invitation to attend the presentation and intimated that he was disturbed by some of the criticisms of "The Great Dictator" published in local papers.

Two RKO Foreign Managers Shifted

Dan Greenhouse, who has been here on a furlough for several weeks, left by plane late last week to take over the territory of Chile for RKO now managed by George Kallman. Greenhouse will maintain headquarters in Santiago.

Kallman, following Greenhouse's arrival, will leave for the home office, and go from here to Manila via the Pacific Coast, to become manager in the Philippine Islands, the post formerly held by Greenhouse. The transfer was made by Phil Reisman, chief of RKO's foreign department.

Grainger to Dallas For Sales Meeting

HOLLYWOOD, Jan. 5.—James R. Grainger, president of Republic Pictures, left today for Dallas where he will preside at the first of a series of special sales meetings at which plans will be discussed for the merchandising of "Sis Hopkins," Judy Canova picture. Grainger has been on the coast since before the holidays.

Weshner to UA as Exploitation Chief

(Continued from page 1)

ed to succeed Weshner. Gable has been with Warner Theatres in that city 10 years in a managerial capacity.

Weshner's appointment is one of many which have been made or are still under contemplation since the appointment of Arthur W. Kelly as general sales manager of United Artists, and appointment of Monroe Greenthal as advertising and publicity director, succeeding Lynn Farnol, who is establishing his own business.

Weshner's new post is one which has been handled by Greenthal, and he will work under Greenthal's direction.

Other Changes Contemplated

Since Kelly became head of sales, there have been several changes in distribution, notably the promotion of Haskell Masters, from Canadian district manager to that of Western division manager, succeeding Jack L. Schlaifer, who is now a special representative.

Other changes are contemplated, one of which will be the appointment of a Hollywood contact for the home office department of advertising and publicity.

Weshner served Warner Bros. for thirteen years, going from the advertising and publicity field into active theatre operation in 1933.

Harry Tarente, manager of the Aldine, has been named manager of the Boyd in Philadelphia to succeed Gable.

Connecticut Allied to Discuss Ascap Fight

NEW HAVEN, Jan. 5.—Allied Theatre Owners of Connecticut will meet Tuesday at the Hofbrau Haus Restaurant, with A. M. Schuman presiding. Lawrence C. Caplan, executive secretary, reports that discussion will be held on the recent Ascap developments and their effects on independent exhibitors, as well as on impending legislation in the coming session of the state legislature. A report of the current membership campaign also will be made.

Selznick Completes New Organization

(Continued from page 1)

Daniel T. O'Shea, vice-president; E. L. Scanlon, treasurer; Loyd Wright, secretary; Charles E. Millikan and Katharine Brown, assistant secretaries. The directors include Selznick, O'Shea, Scanlon, Wright and Walter S. Orr.

The new Selznick company took over Selznick International's releasing deal with United Artists which calls for two more pictures and all personal contracts from the old company, in which Selznick and John Hay Whitney were partners. Under contract to the new company are Vivien Leigh, Ingrid Bergman, Alfred Hitchcock, Joan Fontaine and Alan Marshall.

Col. Buys Two Stories

Columbia has acquired two story properties for early production, "Trinidad," an original by Cy Bartlett, and "Obituary" by Jerry Sackheim.

Short Subject Reviews

"Western Daze"

(Pal-Paramount)

AN altogether refreshing and novel type of short subject, which is neither cartoon nor live talent, has been produced by George Pal with puppets. Photographed in Technicolor, the reel has all the appeal of lively animation. Pal calls his films "Puppetoons."

Plastic puppets, which can be made to assume amazing forms, are used on miniature sets which create the effect of third dimension. No strings are used on the puppets, however, and they move with all the ease and grace of cartoon characters. Jim Dandy, the tenderfoot; Prunella, the beautiful milkmaid, and Grabit and Hide, the bad men, have been created with considerable imagination and seem sure to have both adult and child appeal. The story is that of two horse thieves who attempt to plant a theft on the tenderfoot. The series, which will consist of six releases, will be called "Madcap Models." Andre Kostelanetz and his orchestra supplied the music, which was written by David Raskin. Running time, 9 mins.

"United States Military Academy"

(Columbia)

The daily activities of the cadets at West Point form the subject matter in this number. While the various phases of study and training are outlined graphically the running commentary extols the institution, its founder, its graduates and the undergraduates. The short is really a documentary presenting the academy as a vital part of the nation's defense. Running time, 10 mins.

"Boobs in Arms"

(Columbia)

Here again is the trio of "Stooges," whose slapstick antics are amusing to many. They enlist in the army; become involved with a tough sergeant who had previously caught them with his wife; get a dose of laughing gas, and so on. There are some moments of outstanding comedy, and on the whole it is entertaining comedy. Running time, 18 mins.

"Old New Orleans"

(FitzPatrick—M-G-M)

Picturesque New Orleans is portrayed in full color in this FitzPatrick "Traveltalk." After some general views of the city, the camera takes in some of the oustanding eating places in this Old World municipality. Unusual foods and unusual manners of serving them are described. Running time, 9 mins.

Hays Office, Hotel Give Refugee Party

A reception and entertainment for 200 refugee British children in New York, which was sponsored by the M.P.P.D.A. and the Waldorf-Astoria, was given at the hotel on Saturday. A screening of "Pinocchio" followed a reception under the patronage of the British Consul General.

Feature Reviews

"The Saint in Palm Springs"

(RKO)

Hollywood, Jan. 5.

MAINTAINING the high quality of its predecessors in the series, "The Saint in Palm Springs" pits the Leslie Charteris character against a gang working for an unnamed foreign country attempting to steal $200,000 in stamps which he is taking to the heir of a slain refugee. Supporting George Sanders, who again plays the title role, are Wendy Barrie, Paul Guilfoyle, Jonathan Hale, Linda Hayes, Ferris Taylor, Harry Shannon and Eddie Dunn.

Jerry Cady wrote the screenplay, with Jack Hively directing. Howard Benedict was the associate producer for Lee Marcus.

Moving with speed, the tale has "The Saint" robbed of the stamps and in his endeavors to get them back and find the criminals, two persons are killed. The capture is finally made in the usual fictional detective climax.

Running time, 66 minutes. "G." * VANCE KING.

"Wyoming Wildcat"

(Republic)

THIS is an outdoor yarn far more potent than the usual Western and its effectiveness is sustained by the capable cast.

The story was written by Bennett Cohen and prepared for the screen by Cohen and Anthony Coldeway. It tells of the young cowboy, Don "Red" Barry, who returns from the Spanish-American War with a friend, Syd Saylor, and finds his father, Frank M. Thomas, an outlaw. Because of his father's reputation, Barry is *persona non grata* with the townsfolk but the situation is straightened out when Thomas proves himself a hero in a gun battle with his former confederates.

Julie Duncan has the feminine lead and the supporting players include Dick Bottelier, Edmund Cobb, Ed Brady and George Sherwood. George Sherman is associate producer and director.

Running time, 61 minutes. "G." *

"Break the News"

(Trio Films)

RENE CLAIR produced and directed in England this musical farce with a cast that includes Maurice Chevalier, Jack Buchanan and June Knight. One musical number was written by Cole Porter.

The Geoffrey Kerr screenplay has a unique comedy plot concerning two second-rate actors in a musical show. One pretends to murder the other for the sake of publicity. It is the star of the show, however, who is given prominence in the press reports. In an amusing climax, the pseudo murderer is about to be executed, since his partner, who had been in hiding, fails to appear when he is mistaken for a revolutionist in a foreign country and imprisoned.

Chevalier, as the "murderer," offers a likeable characterization and provokes many laughs as the story develops. The film rates as amusing comedy only when he is dominating the scenes. At other times it lacks sparkle.

Running time, 72 minutes. "G." *

** "G" denotes general classification.*

"Hotel du Nord"

(Juno Films)

A HEAVY dramatic theme, effectively developed by an expert cast and an able director, this French film, produced by Luca, is strictly adult material, but is well done. Produced at the Billancourt Studios, it offers for American audiences Annabella in the leading feminine role, and she is extremely effective as a young girl about to die in a suicide pact, who still loves the young man although he failed to keep their agreement.

Based on a novel by Eugene Dabit, with a screenplay by Jean Aurenche, the film was directed by Marcel Carne. With a touch of the "Grand Hotel" technique, the film is set in a small hotel on the banks of a Parisian canal, and particularly involves Annabella and Louis Jouvet, hiding from pursuing underworld characters. They are two lonely souls, cast up on the banks of the canal, and finding in each other complete understanding of the other's plight. Eventually, when Annabella cannot go away with him because of her love for the boy, for whom she is waiting when he comes from prison, Jouvet goes to meet his pursuers, and dies.

Running time, 83 minutes. "A." * CHARLES S. AARONSON

** "A" denotes adult classification.*

'Eight O'Clock' Opens At Miller Tonight

"Eight O'Clock Tuesday," a play by Robert Wallsten and and Mianon G. Eberhart, will be presented at the Henry Miller Theatre tonight by Luther Greene and James Struthers. Pauline Lord heads the cast, which includes McKay Morris, Bramwell Fletcher and Cecil Humphreys.

Joint Body to Hear English Disputes

LONDON, Jan. 5.—Despite complete silence by officials concerning the joint talks late last week between representatives of the Cinematograph Exhibitors Association and Kinematograph Renters Society (distributors) it is believed certain that a joint committee will be named to handle disputes.

The committee would sit constantly, with equal representation by both organizations. Exhibitors seeking relief or special consideration would present their cases to the committee for decision. The move is seen as eliminating the questionnaire form planned by distributors for exhibitors seeking relief because of war conditions, and to which the exhibitors objected vigorously. The committee action also is seen as ending the present situation of bitter opposition between distributors and exhibitors.

'Liberty' Release Jan. 24

"Land of Liberty," patriotic film made with the cooperation of the industry, will be nationally released by M-G-M on Jan. 24. Profits will be given to soldiers' and sailors' welfare organizations.

EXHIBITORS ATTENTION!

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A. I. KINDLER
Pres.

Half Picture Stocks Showed 1940 Gains

More than half of the 20 motion picture stocks listed on the New York Stock Exchange showed net gains during 1940 over the final prices of 1939 despite the loss of foreign markets and their revenue due to the war.

The motion picture list as a whole, however, was at a lower level at the end of 1940 than at the end of the preceding year, the 20 issues listed on the Stock Exchange showing a collective decline of $88,504,625 from the $628,356,625 total market value of the 20 issues at the end of 1939. Market value of the 20 film issues on Dec. 28, 1940, was $539,852,000.

Motion picture bonds were uniformly higher at the end of 1940 than the year before, and curb exchange issues were irregular, reflecting the general tendency of all film securities to rise at the end of the year from the lows established earlier.

In contrast to the general market, which was in the doldrums at the close of the year despite the high level of industrial activity due to the defense program, the film stocks were the features of the market in the closing 1940 sessions, virtually all of them recording sizeable gains.

This development was due in large measure to the favorable earnings reports of the leading film companies, which testified to the industry's success in achieving operating economies sufficient to offset to a large degree the loss of the industry's foreign revenue. A secondary factor in the rise was the market's recognition that the increased employment and higher payrolls resulting from the national defense program would soon be reflected in theatre attendance and the future earnings of the companies.

Paramount and Universal issues, stimulated by preferred stock retirement plans coming on the heels of excellent earnings reports, led the late 1940 rally of film shares. Loew's maintained its customary strength throughout the year's trading, and RKO showed an appreciable gain during the year, increasing the market value of the issue from $1,987,500 at Dec. 23, 1939, to $5,763,750 on Dec. 28, 1940. Among the issues which recovered losses through a higher trend at the end of the year were Warners, 20th Century-Fox, Columbia and Eastman Kodak.

Motion Picture Stocks in 1940

High and Low in Stock and Bond Trading for 5 Year Period

(Closing Prices Are as of December 28, 1940)

New York Stock Exchange

	1940					1939		1938		1937		1936	
Stock and Dividend	Sales	High	Low	Last	Net Change*	High	Low	High	Low	High	Low	High	Low
Columbia Pictures common (D)	663,000	8½	3½	5½	— 2½(B)	14	7¼	16	13¼	39	29	45	34
Columbia Pictures pfd. (2¾)	231,000	26	14¾	22	+ 6¼	30½	15½	35⅜	27½	46⅛	25¾	51½	39½
Consolidated Film	287,000	1⅛	½	½	— ½	2⅛	⅞	2⅜	1	5¾	1	7⅛	4⅛
Consolidated Film pfd. (1A)	661,000	10½	5¼	8	— ⅝	12⅛	7¾	12¼	4½	18¾	4¼	20⅛	15¼
Eastman Kodak (6)	1,748,000	166¾	117	136	—30	186⅛	138⅛	187	121½	198	144	185	156
Eastman Kodak pfd. (6)	1,906	180	155	180	+ 5	183½	155½	173	157	164	150	166	152
General Theatre Equip. (.85B)	835,000	13⅜	7¾	12⅛	+ ⅜	15½	8⅛	16¾	8½	33¾	9½	not listed	
Keith-Albee-Orpheum pfd. (8¾B)	1,380	109	95	104	+ 8	100¼	85	91	63	110	80	110	80
Loew, Inc. (2C)	3,537,000	37⅝	20½	31⅛	- 5⅞	51½	30½	62½	33	88⅞	43⅝	65¾	43
Loew's, Inc. pfd. (6½)	106,000	109½	97	108	+ 2¾	109¼	101⅝	111¼	99	110	99¾	108⅞	104½
Paramount (.45B)	11,805,000	10⅞	4¼	10½	+ 2⅞	14⅛	6⅛	13¼	5¾	28¾	8½	23¼	7⅛
Paramount 1st pfd. (6)	270,000	99	64	96½	+11½	107½	72	101¼	65	200½	80½	170	59
Paramount 2nd pfd. (.60)	1,490,000	11⅛	6¼	10⅞	+ 2	13⅝	7⅜	13⅛	6⅝	26¾	8	21¼	8⅛
Pathe Film Corp. (.30B)	3,832,000	12⅛	5⅜	9½	— ⅝	13⅛	5¾	14⅝	3½	10½	4	11⅞	6⅝
Radio-Keith-Orpheum	1,660,000	3⅝	2⅛	3⅝	+ 2⅜	2⅞	1¼	5⅜	1¾	10⅛	2¼	10⅞	5
20th Century-Fox	2,542,000	13¼	5	5¾	— 6½	26¼	11⅜	28⅜	16⅛	40⅞	18½	38⅝	22½
20th Century-Fox pfd. (1½)	315,000	25¼	14	17⅝	— 5⅞	34¼	19¾	38	25⅛	50	25	47¾	31⅜
Universal Pictures pfd.	111,770	125	59	111	+41	78	45¼	83	27½	108	29	115	50
Warner Brothers	4,939,000	4¼	2	3	— ¾	6⅞	3½	8	3¾	18	4¾	18⅜	9¼
Warner Brothers pfd.	6,280	56½	30	54	+ 6¼	58	36	45	20	69½	36	69	44

*From close of Dec. 23, 1939; A—Accumulated; B—So far this year; C—Extra dividend; D Formerly listed on curb; E—Net change from Dec. 23, 1939, close on Curb.

New York Curb Exchange

	1940					1939		1938		1937		1936	
Stock and Dividend	Sales	High	Low	Last	Net Change*	High	Low	High	Low	High	Low	High	Low
Monogram Pictures	244,000	1	¼	⅜	— ⅝	3½	1	3⅛	1¼	2⅜	1	not listed	
Sentry Safety Control	94,400	1⅛	3/16	5/16	+ 1/16	9/16	⅛	⅜	3/16	1¼	¼	1⅝	½
Technicolor (.75B)	186,600	16⅜	8½	9	— 3½	22¼	9⅞	26½	14¼	34	14	32½	17¾
Trans-Lux DPS (.10B)	56,000	1⅝	¾	¾	— ⅜	2⅜	1	3⅛	1¾	5¼	1⅝	5½	3¼
Universal Pictures	12,500	15¾	4	14	+ 5	9½	6	10	3	19	3⅛	16¾	4¼

Bonds on Stock Exchange

	1940					1939		1938		1937		1936	
Bond and Maturity	Sales	High	Low	Last	Net Change*	High	Low	High	Low	High	Low	High	Low
Keith 6s '46	$2,036,000	103½	100	102½	+ ¾	102	93½	95	80	100	82½	100	92
Loew's 3½s '46	1,526,000	105	100½	104¼	+ 2¼	103¾	92	102⅝	94½	101¼	95½	102	96
Paramount-Broadway 3s '55	408,000	52½	40	52½	+ 6¾	57½	45¼	63	56¾	75¼	59	73	55
Paramount cv. 3¼s '47	1,132,000	97	76	94	+10	91½	77	87¼	57	96¾	71	not listed	
Warner Brothers 6s '39	3,228,000	97⅜	78	95	+11¼	92	79½	91½	63¼	100¼	70	100¼	86

*From close of Dec. 23, 1939; B—So far this year.

Comparison of Valuation of Stock Issues—1939-40

Stock	Approx. Number Shares Listed	Close 1939(A)	Valuation	Close 1940(B)	Valuation	Net Change	
Columbia Pictures vtc.	360,000	6⅝	$2,385,000	5½(C)	$1,980,000	— 2½ (D)	— $405,000
Columbia Pictures pfd.	76,000	15¾	1,273,000	22	1,672,000	+ 6¼	+ 399,000
Consolidated Film	525,000	7	525,000	½	262,500	— ½	— 262,500
Consolidated Film pfd.	400,000	8⅝	3,450,000	8	3,200,000	— ⅝	— 250,000
Eastman Kodak	2,485,000	166	412,510,000	136	337,950,000	—30	— 74,550,000
Eastman Kodak pfd.	62,000	175	10,850,000	180	11,160,000	+ 5	+ 310,000
General Theatre Equip.	600,000	11¾	7,050,000	12⅛	7,275,000	+ ⅜	+ 225,000
Keith-Albee-Orph. pfd.	64,000	96	6,144,000	104	6,656,000	+ 8	+ 512,000
Loew's, Inc.	1,670,000	37	61,790,000	31⅛	51,978,750	— 5⅞	— 9,811,250
Loew's, Inc., pfd.	137,000	105¼	14,419,250	108	14,796,000	+ 2¾	+ 376,750
Paramount	2,470,000	7⅝	18,833,750	10½	25,935,000	+ 2⅞	+ 7,101,250
Paramount 1st pfd.	145,000	85	12,325,000	96½	13,992,500	+11½	+ 1,667,500
Paramount 2nd pfd.	554,000	8⅞	4,916,750	10⅞	6,024,750	+ 2	+ 1,108,000
Pathe Film Corp.	585,000	10⅛	5,923,125	9½	5,557,500	— ⅝	— 365,625
Radio-Keith-Orpheum	1,590,000	1¼	1,987,500	3⅝	5,763,750	+ 2⅜	+ 3,776,250
20th Century-Fox	1,740,000	12¼	21,315,000	5¾	10,005,000	— 6½	— 11,310,000
20th Century-Fox pfd.	946,000	23½	22,231,000	17⅝	16,673,250	— 5⅞	— 5,557,750
Universal Pictures pfd.	18,000	70	1,260,000	111	1,998,000	+41	+ 738,000
Warner Brothers	3,800,000	3¾	14,250,000	3	11,400,000	— ¾	— 2,850,000
Warner Brothers, pfd.	103,000	47¾	4,918,250	54	5,562,000	+ 6¼	+ 643,750
			$628,356,625		$539,852,000		—$88,504,625

A—As of Dec. 23; B—As of Dec. 28; C—Close on new common stock; (D) Net change from close of common on curb.

FAME FAME FAME

The Audit of Personalities *The Audit of Personalities* *The Audit of Personalities*

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The Audit of Personalities

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The Audit of Personalities *The Audit of Personalities* *The Audit of Personalities*

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A QUIGLEY
PUBLICATION

Gov't Music Trial Delayed Until Spring

(Continued from page 1)

throughout the country to appear before the jury, send them home, and then bring them back for trial or pay their expenses while they are awaiting trial.

Seven Wisconsin stations have signed with Ascap for 1941, according to Robert A. Hess, Ascap counsel here. They are: WHAM, Marinette; WDSM, Superior; WSAU, Wausau; WIBU, Poynette; WOMT, Manitowoc; KFIZ, Fond du Lac; WHBL, Sheboygan, and WEMP, Milwaukee.

Duchin and Kaye Off CBS Sustaining

Eddy Duchin and Sammy Kaye, top-flight orchestra leaders, have retired from sustaining programs on CBS, effective last Saturday, as a protest against the network's insistence that they share financial responsibility with the network for possible accidental copyright infringement of Ascap music. Kaye left over the weekend for a tour of one-night stands and will open Friday at the Strand on Broadway with a program of all-Ascap music, he said.

Ascap's Own Show

Ascap is going on the air with its own weekly show to be known as "Ascap on Parade," presenting hit songs not available to non-Ascap stations, Gene Buck, president, announced over the weekend. No date was set for the start.

The program will go over the stations which have renewed Ascap agreements, Buck said. Billy Rose will produce the shows, Oscar Hammerstein will write them and Deems Taylor will be commentator.

In addition to current hit songs, which Ascap plans to select in a nationwide survey, the show will feature each week well known personalities "from the songwriting and interpretive fields," Buck announced. The first guest star will be Irving Berlin.

BMI Sheet Sales Up

Meanwhile, BMI stated that sheet sales of its music increased to 50,000 during the past week, as compared with 39,000 the week before. Officials declared that the rise in sheet music sales was encouraging because it is felt that the popularity of music is best determined by actual sales.

A total of 683 stations are now members of BMI, it was said. At Ascap headquarters it was stated that 213 stations had signed new five-year contracts.

Ascap Signs Three on Coast

Los Angeles, Jan. 5.—Stations KRKD, KIEV and KFVD have renewed their Ascap contracts, it was announced by Ascap over the weekend. KFWB, the Warner station, is the only other local outlet with an Ascap franchise.

Revise Williams Play

"Battle of Angels," new play by Tennessee Williams, starring Miriam Hopkins, will close Saturday in Boston for revision, delaying its Washington and New York openings.

Off the Antenna

NEW studios for General Electric's Schenectady television station are expected to be ready by mid-summer, it was learned yesterday. The new studios will be in the Edison Club Hall, which is part of a building owned by G. E. At present the station is re-telecasting programs originating from NBC's New York City station, but programs for the up state audience will be sent out when the studios are ready.

C. D. Wagoner, G.E. publicity director, who was in New York yesterday, reported that a second FM station will be opened on Helderberg Mountain within the next six weeks by Capitol Broadcasting Co., and there is a possibility of a third before long. G.E. has both its FM and television transmitters in the Helderbergs.

• • •

Purely Personal: *The engagement of Hannah Lasarow to Will Baltin, program director for the DuMont television station W2XWV, has been announced. . . . Bernard J. Prockter has resigned as CBS sales service manager to accept a position as account executive with the Biow Co. . . . Edwin C. Hill, CBS commentator, will leave Saturday for a four-week stay in Miami and will continue his nightly broadcasts from there. . . . Harold Kaye has been named program manager for WITH, a Baltimore station scheduled to open in the middle of this month. . . . Robert Baker, assistant to John Heiney, WJSV, Washington, sales promotion director, will be married Saturday to Helen Reindollar.*

• • •

Experiments are being conducted for the use of film rather than records for transcriptions on frequency modulation stations. Elimination of the needle noise is regarded as a marked advantage. In addition, it has been found possible to put a two-hour program on 200 feet. This is in marked contrast to the bulky records needed for a 15-minute show, should cut down on storage charges and make speedy delivery feasible by air mail.

• • •

Mutual's first meeting of program directors of affiliated stations will get under way tomorrow at the Hotel Ambassador. The meeting will last all day Tuesday and Wednesday and may go over to Thursday. Adolph Opfinger, Mutual's program director, will preside over the sessions with Fred Weber, general manager, opening the meeting. Those expected to attend include Clifton Daniel, WCAE, Pittsburgh; John Gordon, CKLW, Windsor-Detroit; Van C. Newkirk, Don Lee network; Herbert Rice, WGR, Buffalo; Russell Richmond, WHK, Cleveland; F. Schreiber, WGN, Chicago; Julius F. Seebach, WOR; Brad Simpson, WKRC, Cincinnati; George Steffy, Colonial network, and Madeline Ensign, WOL, Washington.

• • •

Program News: *Another full hour show which will be reduced to* 30 *minutes is John Anthony's "Goodwill Hour" which will be cut on Jan.* 19. *Ironized Yeast is the sponsor, over NBC-Red. . . . The "Quiz Kids," who arrived in town to do a short, entertained children of radio editors at a party at the Beaux Arts Hotel Saturday. . . . "Bishop and the Gargoyle," written by Frank Wilson and currently heard over NBC-Blue on Tuesdays will shift to Saturdays at 8:30 P.M. this week. . . . Lyn Murray, who composes the original music for "Campbell Playhouse" over CBS, will receive air credit over the air for his work in the future.*

• • •

KVOR, CBS affiliate in Colorado Springs, Col., has changed its status to that of a bonus outlet for sponsors using KLZ, Denver.

Dismiss WOR Suit

N. Y. Supreme Court Justice Edward R. Koch Friday dismissed the $100,000 libel suit of Suzanne Stevenson against Bamberger Broadcasting Service (WOR), Arthur Hale, and Trans-Radio Press. Defendants were charged with depicting the plaintiff as a World War spy in "Confidentially Yours," broadcast over WOR.

Chaplin on Inaugural

Washington, Jan. 5.—Charlie Chaplin will be on the program of the third inaugural concert in honor of President Roosevelt here Jan. 19. He will give the final speech from "The Great Dictator." The National Symphony Orchestra and others will be on the program which will be given a day before the President's inauguration.

But the Holdup Men Escaped

St. Louis, Jan. 5.

LES KAUFMAN, publicity director of Fanchon & Marco, was telephoning a feature story on the Fox Theatre Christmas night to Al Weisman, St. Louis *Globe-Democrat* reporter and Motion Picture Daily representative, who was covering police headquarters, when the police radio blared: "Attention all cars; holdup at the Fox Theatre." Kaufman, who was seated in his second-floor office at the time, was unaware of the robbery until Weisman interrupted him to tell him of it. He immediately ran down to the lower floor, obtained the details and phoned them back to Weisman, who had the facts about the same time the police reached the house.

$50,663,000 Record NBC Gross in 1940

With gross billings on both NBC networks in December amounting to $4,909,873, the NBC total for the year 1940 reached $50,663,000 for a record.

The Red web grossed $3,786,901 for December, a rise of 11.4 per cent over the same month in the previous year, for a 12-month total of $39,955,322, up 9.2 per cent over 1939.

The Blue network had billings of $1,122,972 during December, an increase of 27.7 per cent, with $10,707,678 for the year, a rise of 23.9 per cent.

The cumulative total of $50,663,000 for both networks for 1940 represented an increase of 14.7 per cent over the gross billings of $45,244,354 during 1939.

Scripts Questioned By F. T. C. Decline

Washington, Jan. 5.—Through the cooperation of the networks, commercial radio stations and transcription producers, commercial continuities questioned by the Radio and Periodical Division of the Federal Trade Commission during the fiscal year 1940 dropped more than one-fourth from the preceding year, it has been reported.

Out of 684,911 commercial broadcast continuities, the commission's annual report disclosed, only 22,556 were marked for further study as containing representations that might be false or misleading. In 1939, 29,143 continuities were marked out of 643,796 surveyed.

The nearly 685,000 continuities read comprised 1,518,237 pages of typewritten script, 436,700 pages from networks and 961,861 pages from individual stations, it was explained. The networks submit all advertising announcements weekly, electrical transcription producers submit the commercial portions of their recordings monthly, and the individual stations are called upon for their scripts on an average of four times a year.

Hearing Today on Suit Against WPEN

Philadelphia, Jan. 5.—Arguments will be heard tomorrow in the Federal district court on the suit filed by the National Association of Performing Artists against WPEN to restrain the use of phonograph records by the station. Herbert A. Speiser, N.A.P.A. attorney, seeks to have the suit returned by the Federal Court to the jurisdiction of the local Common Pleas Court where it was filed originally. The question of joining sponsors of the recorded shows as defendants has also been raised by Philip Werner, WPEN attorney.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 4 NEW YORK, U. S. A., TUESDAY, JANUARY 7, 1941 TEN CENTS

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DO NOT REMOVE

British Ratify New Currency Pact With U.S.

Covers Eight Majors, Is Effective at Once

LONDON, Jan. 6.—The British Board of Trade formally ratified the new monetary agreement with the eight major American motion picture companies on Saturday, making the agreement effective immediately.

Its provisions for transmission to the United States of a maximum of $12,900,000 during the 12-month period ending next Oct. 31, make 37½ per cent of that amount transmittable at once, since 75 per cent of the total

(*Continued on page* 5)

'U' Exercises Right To Buy Preferred

Universal yesterday exercised its right to purchase an undisclosed number of shares of its first preferred stock tendered by holders during the past 10 days.

The number of shares acquired and the average price paid by the company from the special $1,000,000 appropriation for the purchase was not made public, due to the fact that the retirement program for the first preferred issue still is "incomplete" and

(*Continued on page* 5)

Wobber Sets Decree Talks for Sales Staff

HOLLYWOOD, Jan. 6.—Herman Wobber, 20th Century-Fox general sales manager, will call a meeting of the company's sales force to discuss operations under the consent decree shortly after his return to New York from the studio.

Wobber will be here until the end of the month to participate in the executive conferences beginning Jan. 15 on both production and distribution functions under the decree. Participating in the discussions will be Sidney R. Kent, president, who is now vacationing at Palm Springs; Joseph M. Schenck, chairman of the board; Darryl F. Zanuck, vice-president and production head, Wobber and ranking studio executives.

Plans will be laid for closer working arrangements between production and distribution in line with decree requirements. The company's sales forces will be enlarged for decree operations but the extent of the additions has not been determined yet.

Robinson and Lux Get Radio Scrolls

Hollywood, Jan. 6.—Edward G. Robinson, who was voted most effective film player on the air in *Motion Picture Daily's* poll of radio editors, will receive a scroll testifying to his leadership during the "Big Town" program over CBS Wednesday evening at 8. A representative of *Motion Picture Daily* will make the presentation at the KNX studios here. This evening a similar award was made to "Lux Radio Theatre" over the same network.

'Philadelphia' Sets Fast Pace on B'way

Grossing an estimated $72,000 Thursday through Sunday of the second week "Philadelphia Story" with a stage show at the Music Hall is still Broadway's outstanding attraction. The film is expected to draw about $105,000 for the week and will be held.

"Love Thy Neighbor" with Tommy Dorsey and his orchestra in person at the Paramount is also strong, garnering about $20,000 over Saturday and Sunday. It is expected to finish its third week with about $55,000. It holds over for a fourth. "Comrade X" is expected to gross about $42,000 in its third week at the Capitol.

At the Strand, "Santa Fe Trail" with Abe Lyman's orchestra on the stage grossed an estimated $18,000 Friday, Saturday and Sunday of its

(*Continued on page* 5)

OKLAHOMA ACTION TO BE TRIED FIRST

Gov't. N. Y. Trust Suit Against 'Little 3' Will Follow

The Government plans to try its Oklahoma City anti-trust suit against Universal, Columbia, United Artists and the Griffith Amusement Co. ahead of the New York anti-trust suit against the Little Three, it was learned yesterday.

The tentative order of trial of the pending Government anti-trust suits has the New York action in second place, the Nashville suit against the Little Three and Crescent Amusement Co., third, and the Buffalo action involving the Schine Circuit and the three companies, last.

The Government's current trial plan was divulged to the Little Three in accordance with instructions from Federal Judge Henry W. Goddard in U. S. District court here last month. Judge Goddard directed the Depart-

(*Continued on page* 5)

Television Is Seen Facing 'Showdown' After FCC Meeting

With television virtually stalemated during the past year, chiefly because the FCC refused to approve standards, the medium is approaching a showdown on its future course.

A major development is expected after the Jan. 27 meeting of the FCC and the National Television Systems Committee. It is anticipated that either the FCC will accept the NTSC recommendations, thus giving television its long-delayed "green light," or the commission again will defer the fixing of standards and permission for commercial operation, but will insist on program service or a surrender of licenses.

A number of the NTSC panel reports are ready, and it is believed certain that a large body of the industry will be in agreement on standards. However, early hopes for a unanimous agreement on standards have been abandoned. Last February the FCC rejected the almost unanimous opinion of the Radio Manufacturers Association.

Two factors have made the industry attitude of watchful waiting pos-

(*Continued on page* 8)

More Listeners on Radio Since Ascap-Music Fight

With Ascap music off the air, the number of radio listeners increased by 4.9 percent on the nights of Jan. 2, 3 and 4, it is revealed by one of the leading radio research organizations, C. E. Hooper, Inc.

Meanwhile, there was quiet on the Department of Justice front. The previously reported move to bring its criminal actions against Ascap, BMI, and the networks failed to materilize yesterday. In Washington, when inquiry was made, officials of the Department of Justice refused comment.

A report that the criminal action would be filed only against Ascap and BMI, and not NBC and CBS, was discredited by the same officials. Some trade officials, however, are of the opinion that some such amended action by the Department of Justice would not prove a great surprise.

As for the Federal Communications Commission's position in the fight, it was indicated in Washington that the FCC has declined to take any action. None of the parties to the dispute, it was stated, had approached the FCC to take any action.

It was pointed out further that the Department of Justice is moving in the matter and "there is reason to believe that these proceedings may remove any unreasonable restraint which now exists within the musical copyright field and the radio broadcast industry."

Under the circumstances, the FCC communication said, it was felt it

(*Continued on page* 8)

Monogram to Start Sales Drive Feb. 22

HOLLYWOOD, Jan. 6.—Monogram has set plans for the annual "March for Monogram" sales drive, which will run seven weeks, from Feb. 22 to April 11, according to W. Ray Johnston, president.

Cash prizes will be awarded to winning teams. The branch offices have been divided into zones. Monogram franchise holders will meet in St. Louis on Saturday to complete detailed arrangements for the drive. Johnston will attend, as will Howard Stubbins, West Coast franchise holder. George West, St. Louis and Kansas City franchise holder, will accompany them from the Coast. Samuel Broidy, general sales manager, will attend from New York.

Franchise holders in attendance will be John Mangham, Atlanta; Ben Welansky, Boston and Pittsburgh; Harry L. Berkson, Buffalo; Henri Elman, Chicago; Nate Schultz, Cleveland; John Franconi and Ed Blumenthal, Dallas; Lon Fidler, Denver; F. E. Judd, Des Moines; William Hurlbut, Detroit; Charles Trampe, Milwaukee; B. L. Nathanson, Minneapolis; Carr Scott, Oklahoma City; Sol J. Francis, Omaha and William Onie, Cleveland.

Coast Flashes

Hollywood, Jan. 6

THE ACADEMY of M. P. Arts and Sciences today announced the election of John Aalberg, Farciot Edouart and Thomas T. Moulton as governors from the technicians' branch. The board meets tomorrow for election of officers.

●

Screen Actors Guild over the weekend warned it would bar forever from membership any person who, after notice, performs in a production termed "unfair" by the Associated Actors and Artistes of America. The move was made, officials stated, to prevent the presentation of salacious plays by so-called amateur and non-profit troupes organized by stage producers desirous of evading Equity regulations. Copies of the order were sent to the Los Angeles City Council and Police Commission which are now considering a local stage and film censorship law.

●

Election of officers by the A.M.P.P. will be held on Feb. 4, it was decided at a meeting today. John Zinn, of Paramount, was named to the committee to discuss with Screen Actors Guild recommendations of the standing committee of S.A.G. basic agreement for reduction of the number of extras and other moves calculated to increase their employment.

●

Walter Wanger today accepted chairmanship of the Frank Capra 20th Anniversary Tribute Committee which is planning to honor the director for his contributions to the screen. The committee will meet tomorrow to set the nature and date of the tribute.

●

Al Lichtman and Howard Dietz, advertising and publicity director of M-G-M, arrived today. The latter will stay several weeks for conferences about future production campaigns.

●

W. Ray Johnston, Howard Stubins and George West leave by the *Chief* Wednesday for the St. Louis Monogram franchise holders' meeting Saturday.

●

Lou Pollack, Universal Eastern publicity head, will leave for New York by train tomorrow after 10 days of studio conferences.

Bishop Honored at Pittsburgh Dinner

PITTSBURGH, Jan. 6.—Approximately 225 exhibitors and exchange men honored Burtus Bishop, Jr., tonight at a Variety Club testimonial dinner at the William Penn Hotel. Bishop has been named district manager for M-G-M in Kansas City.

The speakers included Michael Shapiro, chairman; C. J. Latta, chief barker of the Variety Club; C. C. Kellenberger, Peter Dana, Arthur Levy, Abe Weiner, James Alexander, Harry Goldstein, Herbert Greenblatt, Harry Kalmine, John Harris, M. A. Rosenberg, Fred Beetle, Edgar Moss and Byron Stoner, new M-G-M manager here.

Personal Mention

ARTHUR PRATCHETT, Paramount manager for Central America, arrived in New York yesterday for a home office visit. He is scheduled to leave with JOHN W. HICKS, Paramount vice-president and foreign manager, next Sunday for a tour of Mexico, Central and South America.

●

JOEL LEVY of the Loew home office booking department, is visiting the 14 Loew-Poli New England houses with HARRY SHAW, division manager.

●

LOU SCHAEFER, manager of the Paramount, New Haven, and MRS. SCHAEFER have announced the engagement of their daughter, MARGARETHA, to CARL JOHNSON of Glenbrook, Conn.

●

EDWARD SHERWOOD, Ascap district manager in Baltimore, is nursing injuries suffered in a fall.

●

RUTH SMITH, cashier at Warners' State, Philadelphia, is engaged to JACK OWENS.

●

ABE ROVNER, Philadelphia exhibitor, has left for a Florida vacation.

●

ISADORE LITWIN, assistant to the purchasing agent of the Stanley-Warner Theatres, Philadelphia, has resigned to enter the fur business.

●

JOSEPH R. VOGEL, MAX WEISFELDT, HARRY BERNSTEIN and ARCHE MAYER having lunch yesterday at Lindy's (next to the Rivoli).

●

CHARLES E. MCCARTHY, J. J. UNGER, MAX A. COHEN, TED O'SHEA, SAM RINZLER, RALPH AUSTRIAN, MAURICE BERGMAN, TOM CONNORS and RUSSELL HOLMAN at Nick's Hunting Room in the Astor yesterday for lunch.

●

DARRYL F. ZANUCK, CLARENCE EISEMAN, MAURICE SILVERSTONE, JAMES MULVEY, CHARLES STERN and HARRY BRANDT having lunch yesterday at Lindy's (51st St.).

DAVID L. LOEW will leave the Coast today for conferences at the United Artists home office. His partner, ALBERT LEWIN, will leave for the East on Friday.

●

MRS. W. RAY JOHNSTON, wife of the president of Monogram, is visiting in the East.

●

PHILIP FERCES of the 20th Century-Fox exchange here and MARTIN MULLINS of the home office will report for duty Jan. 27 with the 258th Field Artillery Medical Corps at Fort Ethan Allen, Burlington, Vt.

●

MOE GRASSGREEN, manager of the 20th Century-Fox Albany branch, is scheduled to leave next Monday for a two-week vacation in Miami Beach.

●

WILLIAM SUSSMAN, Eastern division manager for 20th Century-Fox; JACK SICHELMAN, assistant sales manager, and I. J. SMERTZ, manager of the company's Cleveland branch, are in Miami on their annual vacations.

●

GEORGE A. ROBERTS, Mideast district manager for 20th Century-Fox, has returned to his headquarters in Cleveland after a vacation visit here.

●

IRA H. COHN, manager of the 20th Century-Fox Pittsburgh branch, returns next Monday from a Miami Beach vacation.

●

JOSEPH BURSTYN returned to his office yesterday after a three-week business trip to Cuba.

●

MITCHELL WOLFSON, co-owner of Wometco's Florida theatres, has been appointed a colonel by Governor SPESSARD HOLLARD.

●

GEORGE DEMBOW, BARNEY BALABAN, LEONARD GOLDENSON, CHARLES M. REAGAN, SYLVIA SIDNEY, MARCUS HEIMAN, LEE SHUBERT, HAROLD ORLOB, MAX MARCIN, ARTHUR LOEW, JACOB WILK and OTTO PREMINGER lunching yesterday at Sardi's.

Zanuck Designated Signal Corps Officer

WASHINGTON, Jan. 6.—Darryl F. Zanuck, vice-president in charge of production for 20th Century-Fox, today was made a lieutenant colonel in the Signal Corps Reserve and designated as a member of the Advisory Council to the Chief Signal Officer.

Colonel Zanuck visited Washington today, en route from New York to the Coast. He conferred with Major General Joseph E. Mauborgne, Chief Signal Officer, with regard to training films being produced through the Research Council of the Academy of Motion Picture Arts and Sciences, of which Zanuck is chairman.

William Blumenberg Dies

STROUDSBURG, Pa., Jan. 6.—William Blumenberg, former manager of the Stroud Theatre here and proprietor of Ye Saylor's Inn at Saylorsburg, Pa., died recently in the Stroudsburg General Hospital. He was a former vaudeville and circus performer.

Korda Will Testify In Goldwyn Action

Alexander Korda and the London Film Productions, Ltd., were ordered yesterday by Federal Judge Edward A. Conger to testify on Jan. 15 in the suit of Samuel Goldwyn against United Artists Corp. for cancellation of his contract with the defendant.

The order provides that if Korda is not available in New York for the examination, his attorney is to notify the court by Jan. 10 and the examination will then proceed in the California District Court on Jan. 28.

Kansas City Plans to Restrict Use of Signs

KANSAS CITY, Jan. 6.—At the request of the Park Board, the City Manager will not issue permits for operation of sound trucks on boulevards or park department driveways, or in parks. The board also has taken a stand against erection of signs or advertising banners across boulevards or driveways under Park Board supervision.

Down to Earth

Minneapolis, Jan. 6.

A UNION squabble here threatened to leave the Minneapolis Auditorium with a dirt floor following Larry Sunbrock's rodeo. The contract did not provide for removal of the special dirt floor. When the rodeo personnel began the work, union employes protested. The union won. It removed the dirt floor.

'Africanus' Again Banned in Mexico

MEXICO CITY, Jan. 6.—"Scipio Africanus," the Italian-made picture which the Confederation of Mexican Workers banned two years ago on the ground that it is Fascist propaganda, a prohibition which the Confederation recently rescinded, without comment or explanation, has been banned again.

This latest ban is the strike of attaches of the Cine Palacio, a leading local house, on the eve of exhibition, after extensive and costly advertising and exploitation. The strikers, members of the National Cinematographic Workers Union, which is affiliated with the Confederation, were accused by exhibitors of sabotage with regard to "Scipio." It was reported that leaders of the union had declared that exhibition of this picture is unseemly for Mexico because it is outright Fascist propaganda and that Scipio is but a representation of Mussolini. The union denied the charges and declared the strike on the eve of exhibition was a coincidence.

Settle Warner Action

A stipulation settling the $150,000 damage suit brought by M. & G. Amusements, Inc., against Warners has been filed in U. S. District Court here. The plaintiff claimed that it sold the rights to the play "Sh! The Octopus" for a silent picture and Warners subsequently made a talking film without the plaintiff's consent.

Grainger Due Jan. 15

James R. Grainger, president of Republic, is due at the home office on Jan. 15, after stopovers en route from the Coast at Dallas, New Orleans, St. Louis and Indianapolis.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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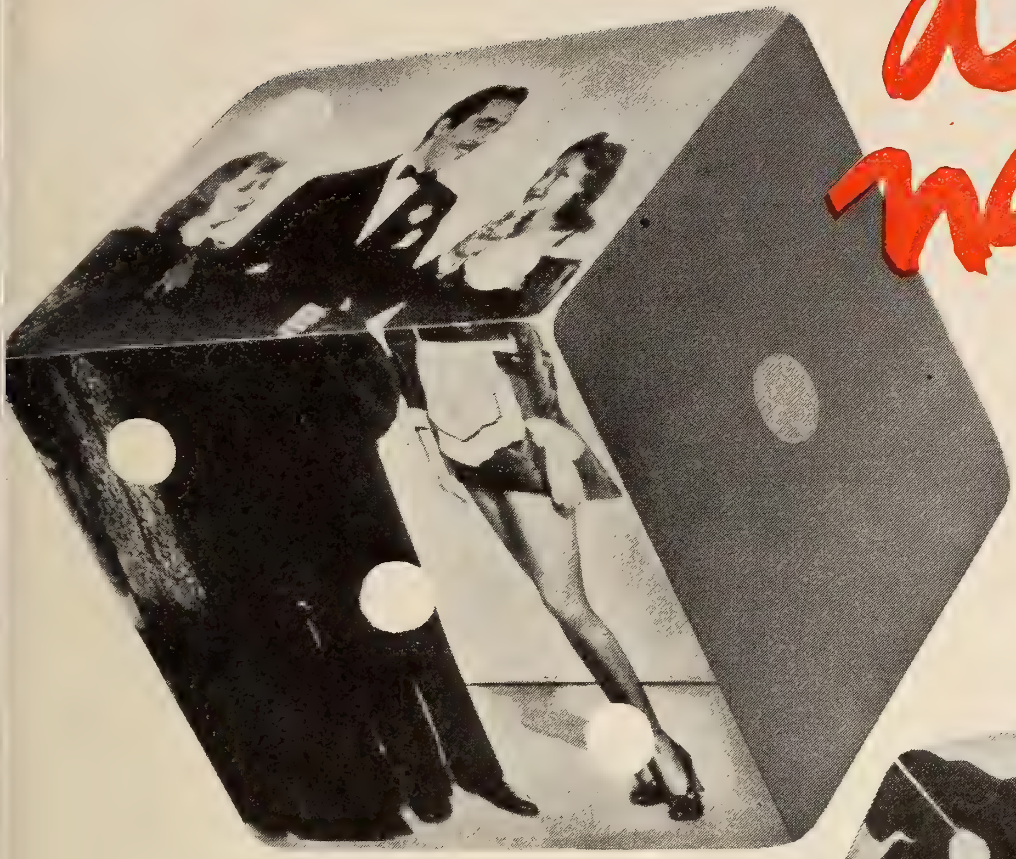
a natural!

What they want to do now is laugh—so what does 20th do? *Gives you a new fun formula!*



TALL, DARK *and* HANDSOME

with
CESAR ROMERO
VIRGINIA GILMORE
MILTON BERLE
Charlotte GREENWOOD
and **SHELDON LEONARD**
STANLEY CLEMENTS • FRANK JENKS • BARNETT PARKER

Directed by
H. BRUCE HUMBERSTONE
Associate Producer Fred Kohlmar
Original Screen Play by Karl Tunberg and Darrell Ware
Music and Lyrics by Leo Robin and Ralph Rainger
Dances Staged by Nicholas Castle and Geneva Sawyer

20th CENTURY FOX

loaded-

with excitement...
and all hit songs:

"Hello Ma! I Done It Again!" "Did I Have Fun?" • "I'm Alive and Kickin'" • "Wishful Thinking"

'Neighbor' Is Chicago Lead With $53,000

CHICAGO, Jan. 6.—"Love Thy Neighbor" drew a strong $53,000 at the Chicago, with a stage show. "Tin Pan Alley" took $10,000 at the Garrick, and "Arizona" $12,000 at the Apollo in a week of good grosses.

Estimated takings for the week ending Jan. 2:

"Arizona" (Col.)
APOLLO—(1,400) (35c-55c-75c), 7 days, 2nd week. Gross: $12,000. (Average, $6,500)

"Love Thy Neighbor" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Variety Stage Show. Gross: $53,000. (Average, $32,000)

"Tin Pan Alley" (20th-Fox)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $10,000. (Average, $5,000)

"Lone Wolf Keeps a Date" (Col.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Ted Weems Band and stage show. Gross: $20,000. (Average, $13,000)

"Kitty Foyle" (RKO) 4 days
"Saint in Palm Springs" (RKO) 4 days
PALACE—(2,500) (35c-40c-60c. Gross: $16,000. (Average, $13,000)

"Thief of Bagdad" (U. A.)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days, 2nd week. Gross: $12,000. (Average, $11,000)

"East River" (W. B.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Streets of Paris Unit. Gross: $24,000. (Average, $15,000)

"Bitter Sweet" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $12,000. (Average, $14,000)

$8,000 Is 'Chorus' Tally in Providence

PROVIDENCE, Jan. 6.—The Strand tallied $8,000 with "Second Chorus" and "Three Men From Texas."

Estimated takings for the week ending Dec. 30-Jan. 1:

"No, No, Nanette" (RKO)
"San Francisco Docks" (Univ.)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $7,200. (Average, $6,000)

"The Thief of Bagdad" (U. A.)
"Nobody's Children" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,900. (Average, $11,000)

"Chad Hanna" (20th-Fox)
"Michael Shayne, Private Detective" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $5,900. (Average, $7,000)

"Second Chorus" (Para.)
"Three Men From Texas" (Para.)
STRAND—(2,200) (28c-39c-50) 7 days. Gross: $8,000. (Average, $6,000)

"Pride of the Bowery" (Mono.) (5 days) (Plus stage show with Jan Savitt orchestra, Patricia Ellis, Ross & La Pierre, Clyde Hager, and the Condos Brothers)
"The Devil Bat" (Producers) (3 days) (Plus stage show with "Hollywood on the Loose Revue" featuring Tom Brown, Arleen Whelan, Alex D'Arcy, Shaw & Lee, Diana Moore, Joe Morris, George King and Sammy Wolf.)
METROPOLITAN—(3,045) (28c-39c-55c-75c). Gross: $9,000. (Average, $9,000)

"The Philadelphia Story" (M-G-M)
"Gallant Sons" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 5 days. Gross: $2,800. (7-day average, $3,500)

"Give Us Wings" (Univ.)
"West of Pinto Basin' (Mono.)
FAY'S—(1,800) (15c-28c-39c) 7 days. Gross: $3,300. (Average, $2,500)

"The Mark of Zorro" (20th-Fox) (3 days)
"Hit Parade of 1941" (Rep.) (3 days)
"The Letter" (W. B.) (4 days)
"Kit Carson" (U. A.) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,900. (Average, $1,700)

Pa. Unit Election Soon

PHILADELPHIA, Jan. 6.—The United M.P.T.O. of Eastern Pennsylvania will hold its annual election of officers here late this month.

Feature Reviews

"Doomed Caravan"

(Sherman-Paramount)

Hollywood, Jan. 6.

THE fight of unscrupulous border thieves to seize all western stage coach lines forms the background for "Doomed Caravan," in which William Boyd, as "Hopalong Cassidy," stars. Boyd is again supported by Russell Hayden and Andy Clyde in the story based on the Clarence E. Mulford characters.

The trio forms the combination of avengers who outwit the criminals, restore the stage line to its rightful owner, in this case, a woman. Minna Gombell, Morris Ankrum, Georgia Hawkins, Trevor Bardette, Pat J. O'Brien, Raphael Bennett and Jose Luis Tortosa complete the cast.

Johnston McCulley and J. Benton Cheney wrote a moving script as the framework for the Harry Sherman production. Lesley Selander, veteran of the Sherman forces, turned out a smooth job of direction.

Running time, 61 minutes. "G." * VANCE KING

"Cavalcade of Faith"

(Jeffrey Pictures)

A documentary film, "Cavalcade of Faith" stresses the importance, of faith in the lives of the peoples of the world. The film was made, for the most part, by assembling clips of affairs of importance in the Catholic Church during the past 25 years.

Aside from the historical value of the assembling of such clips, the picture's principal appeal probably will be for Catholic church auditoriums and at entertainments of Catholic organizations. The film shows crowds at the election of Pope Pius XI, together with the ceremonies attendant upon such election. Pope Pius XI himself is shown and there are scenes showing him blessing a number of pilgrimages. American cardinals and Eucharistic congresses here are also shown, as is the election of Pope Pius XII.

From the various points of interest at the Vatican and the ruins of ancient Rome, the commentator picks up highlights in the history of the Catholic Church. The photography, particularly in the older clips, is not of the best. The film is available with Spanish, Polish and Italian language commentary in addition to the English edition.

Running time, 65 minutes. "G." * EDWARD GREIF

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* *"G" denotes general classification.*

CEA Proposes Joint Committee Tomorrow

LONDON, Jan. 6.—It has been confirmed that the General Council of the Cinematograph Exhibitors Association at its meeting tomorrow will propose the formation of a joint committee with the Kinematograph Renters Society (distributors) to handle disputes between theatres and distributors arising out of war conditions.

It is understood that at a recent joint meeting the K.R.S. agreed to eliminate the theatre questionnaires, to which the exhibitors raised strenuous objection, if a satisfactory alternative could be found. The K.R.S. also is known to insist that any findings of a joint committee are subject to the approval of the K.R.S. council.

If approved by both bodies, the new committee is expected to meet at once.

Another committee, representative of the C.E.A. and the K.R.S., in the future will examine thoroughly all conditions imposed on theatres applying for licenses to operate on Sundays.

RKO Pacts Renewed

Don Bernardo Glucksman, head of Cinematografica Glucksman, S.A., Montevideo, has renewed his contract for the distribution of RKO product in Uruguay for 1941, according to Phil Reisman, foreign department chief.

Foreign Critics Rate 'Wrath' Year's Best

"The Grapes of Wrath" was voted the outstanding American film of 1940 by motion picture reviewers of New York City foreign language newspapers.

Other selections were: best foreign film, "Hotel du Nord"; best American masculine performance, Conrad Veidt in "Escape"; best American feminine performance, Ginger Rogers in "The Primrose Path"; best foreign masculine performance, Jean Gabin in "The Human Beast"; best foreign feminine performance, Arletty in "Daybreak"; best Hollywood director, William Wyler for "The Letter"; best foreign director, Marcel Carne for "Hotel du Nord."

A special award was made to "London Can Take It," a short subject.

Additional selections included: best Spanish language film of the year, "La Noche de Los Mayas"; best Italian language film, "Giuseppi Verdi"; best Yiddish language film, "Overture to Glory"; best German language film, "The Dreyfus Case"; best Swedish language film, "Vi Tva"; best Russian language film, "The Great Beginning," and best Hungarian language film, "Gul Baba."

The poll among the reviewers was conducted by the Foreign Orientation division of the American Schools and Colleges Association.

29 New Films Now Shooting; Seven Started

HOLLYWOOD, Jan. 6.—Twenty-nine pictures were before the cameras this week as seven started and five finished. Twenty-four were being prepared, and 68 were being edited.

The tally by studios:

Columbia

In Work: "Penny Serenade," "The Lone Wolf Takes a Chance."

Globe

In Work: "Pot o' Gold."

M-G-M

In Work: "Billy the Kid," "Rage in Heaven," "Andy Hardy's Private Secretary," "The Trial of Mary Dugan," "Free and Easy."
Started: "Roosty."

Producers Releasing

Finished: "It Happened to Me."

Paramount

Finished: "New York Town," "Pirates on Horseback."
In Work: "Las Vegas Nights," "One Night in Lisbon."

RKO

In Work: "They Met in Argentina," "The Devil and Miss Jones," "Show Business."

Republic

Finished: "Petticoat Politics."
Started: "Two-Gun Sheriff," "Prairie Pioneers," "Citadel of Crime."

Roach

In Work: "Broadway Limited."

20th Century-Fox

Finished: "Tobacco Road."
In Work: "The Outlaw," "Ride On, Vaquero," "Dead Men Tell," "A Very Young Lady."

Universal

In Work: "Nice Girl," "Buck Privates."

Warners

In Work: "The Sea Wolf," "She Stayed Kissed."
Started: "Thirty Days Hath September," "Miss Wheelwright Discovers America," "Winged Victory."

Testimonial

Kansas City, Jan. 6.

A YOUNG woman went into the Electric, Kansas City, Kan., the other evening to see "North West Mounted Police." After the show was over she departed, but returned very shortly with a flashlight and asked an usher to help her find bits of a $1 bill she had torn up while watching the picture. "I guess I just got too excited," she said, and admitted she probably wouldn't have come back if there hadn't been a short about the government's reclamation of damaged currency.

Five Out of Five

Mexico City, Jan. 6.—Gabriel Soria, young Mexican producer-director who had his training in Hollywood, is the champion in his field in Mexico as far as winning gold medals is concerned. He has just been given a medal, his fifth in five consecutive years, for his "Mala Yerba" ("Marcella").

'Philadelphia' Sets Fast Pace on B'way

(*Continued from page* 1)

third week and will be replaced on Friday by "Four Mothers." Sammy Kaye will head the stage show. "Chad Hanna" bows out of the Roxy on Friday after a two-week run. The film with a stage show gave the house an estimated $26,000 Thursday through Sunday. "Hudson's Bay" follows.

"Night Train" at the Globe was good for $11,000 in its first week and was held over. "The Lone Wolf Keeps a Date" completes a week at the Rialto tonight with about $7,000 expected. "The Invisible Woman" checks in tomorrow. "Kitty Foyle" succeeds "Victory" tomorrow at the Rivoli.

British Ratify New U. S. Currency Pact

(*Continued from page* 1)

may be taken out during the first six months of the agreement. No remittances have been made to the United States since the old agreement expired last Oct. 26.

A provision of the agreement makes it possible for the American companies to use their blocked sterling here for the purchase of or acquisition of an interest in British theatres providing they are given permission by the Control Commission. The frozen sterling also may be used for the purchase of British or foreign distribution rights and to pay for British-made prints for export. The last proviso was the subject of much controversy during the negotiation of the agreement and delayed its conclusion perhaps more than any other factor.

Act to Curb Price Gouging in Mexico

Mexico City, Jan. 6.—The Mexican Senate has acted upon numerous complaints about admission charge profiteering by some local theatres by appointing a committee to investigate these accusations. It is charged that certain houses have increased their charges, although the dollar is of less value, currently at 4.86 pesos, but that when the quotation was near six pesos, the first run theatres never charged more than 1.50 pesos and the subsequent run houses from 40 to 50 centavos.

The first run theatres are now charging from two to three pesos and the subsequents 90 centavos and one peso. Rentals made by distributors are also to be thoroughly investigated to ascertain whether or not they are to blame for this profiteering.

Showmanship Flashes

Radio Program Used To Aid "No, No, Nanette"

Salt Lake City, Jan. 6.—David Edwards, manager of the Rialto here, for the opening of "No, No, Nanette," tied in with Station KSL for a broadcast before the opening, and had 20 attractive girls spotted in downtown stores and on the streets carrying portable radios tuned in on the 15-minute program. The radios were the result of a tieup with dealers.

Gag-Writing Contest Is Used on 'Go West'

Cleveland, Jan. 6.—A gag-writing contest, conducted by the Cleveland *News*, was used to promote "Go West," at Loew's State. For the best 53 wisecracks written into "balloons" in the newspaper pictures of the Marx Brothers a total of $50 in cash prizes and 50 pairs of tickets were awarded.

Essay Contest Is Used On 'Escape' Engagement

Hazleton, Pa., Jan. 6.—In connection with "Escape," Manager John Higgins of the Capitol Theatre made a tieup with local stationery store on an essay contest in which newspaper readers were invited to send in letters of 100 words or less describing their favorite form of escape and how it "brings surcease and happiness, etc." Winners received a copy of the book from the dealer and free theatre tickets.

Laugh Clinic Test Is Used for "Road Show"

Albany, Jan. 6.—The Institute of Humor Clinic has installed its maico physchometer in the lobby of the Ritz in an exploitation stunt by Mel Conheim, Warner manager, and the *Times-Union*, morning paper. The clinic was conducted daily in the lobby, with a half-hour broadcast over WABY, tied in with the showing of "Road Show."

'Chad Hanna' Copy On Cough Drop Box

Baltimore, Jan. 6.—In connection with the showing of "Chad Hanna" at the New, owner Morris Mechanic tied in with a concern that distributes hundreds of sample packages of cough drops. He had printed on the front of an envelope which contained the cough drop sample, a note that read, "Don't cough and miss a single word of 'Chad Hanna,' opening here Friday. Use these cough drops." The copy, of course, also carried a commercial line in behalf of the drops.

Store Tieup Is Used On 'Dreaming Out Loud'

Williamsport, Pa., Jan. 6.—Manager James Frailey of the Keystone Theatre, in promoting the film, "Dreaming Out Loud," made a tieup with local merchants, who aided in creating a window display similar to a "Jot-'em-Down" store as used by Lum and Abner.

'Bitter Sweet' Drink Featured in Baltimore

Baltimore, Jan. 6. — In the promotion campaign for "Bitter Sweet" at Loew's Century, George Avis, publicist, tied in with two leading cocktail lounges who dug out recipes for the old-time "Bitter Sweet" cocktail. The drinks were featured during the picture's run.

Distribute 'Diplomas' As 'You'll Find Out' Stunt

Cleveland, Jan. 6.—For his campaign on "You'll Find Out," at the Hippodrome, Manny Pearlstein of the Warner theatre division publicity office, used a cap and gown street ballyhoo and distributed 5,000 diplomas. Persons holding lucky number diplomas were awarded guest tickets. Several thousand stickers were distributed by local laundry and cleaning establishments.

'U' Exercises Right To Buy Preferred

(*Continued from page* 1)

might affect the price of the shares which may be acquired later, it was said.

The Universal first preferred closed at 119 on the day the company asked for tenders of the stock and closed at 144 last Saturday, the final day of trading prior to the acceptance or rejection of tenders. The stock has a par value of $100 per share and there are dividends of about $75 per share accrued and unpaid. The stock opened yesterday at 139.

S. O. S. in Union Pact

S. O. S. Cinema Supply Corp. has signed contracts with Local 20940 of the American Federation of Office Employes, and the International Brotherhood of Machinists, covering all employes of the company, it was announced yesterday. The contracts provide for a closed shop, vacations with pay, seniority, overtime pay and increases ranging from 10 to 15 per cent, it was said. J. A. Tanney, president of S. O. S., executed the contracts on behalf of his company.

Seven New Pictures Approved by Legion

The National Legion of Decency for the current week has approved all of the seven new pictures reviewed and classified, six for general patronage and one for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Bowery Boy," "The Great Plane Robbery," "Keeping Company," "The Pinto Kid," "She Couldn't Say No," "Wyoming Wildcat." Class A-2, Unobjectionable for Adults—"Ellery Queen, Master Detective."

Sues on Projector Deal

Willor Manufacturing Corp., Mechanical Manufacturing Corp., Jack Robins and William Lorenz were named defendants yesterday in a suit filed in N. Y. Supreme Court by Louis Klotz, who asks for 10 per cent of all sales and rentals received by the defendants on a new continuous sound picture projector. Klotz claims to have aided in assembling the projector and in promoting its sale under an alleged percentage agreement.

Lehman Corp. Buys Paramount Shares

Among the new holdings of the Lehman Corporation made public yesterday by Robert Lehman, president of that company, are 10,000 shares of Paramount common and 2,000 shares of Paramount Pictures, 6 per cent cumulative, convertible first preferred, in addition to $23,000, Paramount Pictures, convertible debentures 3½s of 1947.

Oklahoma Action To Be Tried First

(*Continued from page* 1)

ment of Justice to inform attorneys for the Little Three of the trial order so that they would know which case to prepare to defend first. Any change in the order of trial which may be decided upon by the Government subsequently must be imparted to the defendants promptly.

The Government stated recently that it was farthest advanced in its preparations for trial in the Oklahoma City case, which is the only explanation at hand of its choice of that case for trial first. A motion to dismiss the Oklahoma City action has been made by the Little Three and is awaiting hearing there. A similar motion has been made by them in the New York suit and is returnable today before Judge Goddard, who will set a future date for hearing the motion.

Sidetrack Halifax Sunday Proposal

Halifax, N. S., Jan. 6.—Opposition has caused a temporary sidetracking of the Sunday theatre opening proposal. Theatre owners object to opening for only a voluntary collection, and the ministerial association has protested against the clause permitting a naval or mercantile sailor, soldier or air forceman to take one adult companion into the Sunday night show.

Theatremen opposing the voluntary collection are willing to donate the profits from Sunday shows to war welfare or charities, but they claim their normal business will be very adversely affected by allowing people into their theatres for nothing on Sundays.

Doubles and Triples

Nashua, N. H., Jan. 6.—A triple feature was billed at the Colonial here for the first part of the week, and a double feature with giveaways for the latter half. The triple bill included "The Lost World," "Wrath of Jealousy" and "Arizona Frontier."

Indiana Circuit Formed

Indianapolis, Jan. 6. — Incorporation papers have been issued to Theatres, Inc., with 200 shares of $50 par value common stock. Incorporators are Isidore Feibleman, Mark M. Gates and Charles B. Feibleman. The new corporation plans to operate houses in small cities in Indiana.

'That Girl' and Show Lead in Hub, $23,800

Boston, Jan. 6.—"Where Did You Get That Girl?" aided by a stage show headed by George Raft, scored a strong $23,800 as grosses here generally swung sharply upward.

Estimated takings for the week ending Dec. 30-Jan. 1:

"Where Did You Get That Girl?" (Univ.)
KEITH BOSTON—(3,000) (35c-40c-55c-65c) 8 days. Vaudeville: George Raft and revue including Ted Mack orchestra; Gil and Bernie Mason; Three Swifts; DeVal, Merle and Lee; Ted Lester and Patricia Norman. Gross: $23,800. (Average, $8,000)
"No, No, Nanette" (RKO)
"Romance of the Rio Grande" (20th-Fox)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days. Gross: $15,300. (Average, $16,000)
"Love Thy Neighbor" (Para.)
"Lady with Red Hair" (W. B.)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $22,250. (Average, $15,000)
"Tin Pan Alley" (20th-Fox)
"Murder Over New York" (20th-Fox)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $10,800. (Average, $7,500)
"Tin Pan Alley" (20th-Fox)
"Murder Over New York" (20th-Fox)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $5,080. (Average, $4,500)
"North West Mounted Police" (Para.)
"Youth Will Be Served" (20th-Fox)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $4,100. (Average, $4,000)
"Thief of Bagdad" (U. A.)
"Blondie Plays Cupid" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $14,200. (Average, $12,000)
"Thief of Bagdad" (U. A.)
"Blondie Plays Cupid" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $20,500. (Average, $17,500)

W. B. Court S. American Trade with New Musical

Hollywood, Jan. 6.

WARNERS has joined the parade of studios courting the South American trade, as the studio announced "Carnival in Rio," a musical comedy with a South American background, for early production. George Raft, Dennis Morgan and Brenda Marshall will head the cast, with a possibility that Rita Hayworth may be borrowed from Columbia for a featured role. William Keighley will direct, with Robert Rossen doing the screenplay.

• •

Mimi Aguglia, European star, has been set for Howard Hughes' "The Outlaw." . . . M-G-M has set "Blonde Inspiration" as the title for "Fools Rush In," formerly called "Four Cents a Word." . . . With Lionel Barrymore and Edward Arnold in the top spots, Gene Reynolds, Robert Sterling and Fay Holden get roles in M-G-M's "Roosty," Jack Chertok's second feature production at M-G-M. Harold S. Bucquet is directing.

• •

Republic has set Frances Dee to play opposite John Wayne in "Citadel of Crime," which John H. Auer is directing. Also set are Alexander Granach, Wallace Ford, Harold Huber. Armand Schaefer is producing. . . . Paramount has given Brian Donlevy a new contract. He now is on loan to M-G-M for "Billy the Kid." . . . William Pine and William Thomas have signed Billy Lee and Roger Pryor to support Richard Arlen and Jean Parker in Producers Corp. of America's "Power Dive" for Paramount release.

• •

Tom Harmon, Michigan football star, is being tested for a role in Paramount's "Las Vegas Nights." . . . Marjorie Main joins M-G-M's "The Trial of Mary Dugan" troupe. . . . Jeffrey Lynn, Priscilla Lane, Ronald Reagan and May Robson head the cast of "Miss Wheelwright Discovers America," Warners. . . . Ralph Bellamy and Hattie McDaniel join the cast of Warners' "Affectionately Yours," starring Merle Oberon, Dennis Morgan and Rita Hayworth. . . . Republic has changed the title of "Rookies' Roost" to "You'll Never Get Rich." . . . Akim Tamiroff has been given a role in Paramount's "One Night in Lisbon." . . . Warners has retitled "Stuff of Heroes" as "The Bashful Hero." . . . Robert Preston gets the lead in Paramount's "The Night of Jan. 16th." . . . Edward G. Robinson and his "Big Town" radio troupe leave Hollywood Jan. 16 for New York, where the CBS show will originate for four weeks.

• •

Frank Capra has called for the entire cast of principals, except Barbara Stanwyck, of "Meet John Doe" for retakes and added scenes. The picture is now cut to 13,500 feet. . . . Harry Sherman has purchased "The Sheik of Buffalo Butte," original story by Bernard McConville, for a Hopalong Cassidy story starring William Boyd. . . . RKO has signed Jack Briggs and Robert Francis Smith, young stage players, to term contracts.

• •

Anna May Wong joins Ralph Bellamy and Margaret Lindsay in the second Ellery Queen story which Larry Darmour will produce for Columbia. . . . Irving Pichel's directorial contract at 20th Century-Fox has been extended. . . . Universal has signed Loretta Young to do an additional picture outside of Frank Lloyd's "Lady from Cheyenne."

• •

Clive Brooks has submitted to Paramount an original story dealing with events attendant upon the evacuation of Paris before the Nazi occupation, and if the deal goes through, will star in it, according to David Rose, managing director of production for Paramount in England. . . . Harry Sherman has given Derwin Abrahams, assistant director who guided "Border Vigilantes," a term deal as a director. . . . Republic has signed Charles Butterworth, Jerry Colonna and Eddie Foy, Jr., for "Sis Hopkins."

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'Arizona' Sets Los Angeles Pace, $26,000

Los Angeles, Jan. 6.—Special New Year's Eve and New Year's Day shows contributed to the big gain in grosses here. "Arizona" and "Where Did You Get That Girl?" plus "No, No, Nanette" and "The Saint in Palm Springs" for two days, drew $14,000 at the Hillstreet and $12,000 at the Pantages, for a total of $26,000.

Estimated takings for the week ending Jan. 1:

"Thief of Bagdad" (U. A.) (5 days)
"Murder Over New York" (20th-Fox) (5 days)
"The Philadelphia Story" (M-G-M) 2 days)
CHINESE — (2,500) (33c-44c-55c-75c). Gross: $14,800. (Average, $12.500)
"The Philadelphia Story" (M-G-M) (2 days)
CARTHAY CIRCLE—(1,518) (75c-$1.65). Gross: $5,100.
"Flight From Destiny" (W. B.)
4 STAR—(900) (44c-55c). Gross: $6,700. (Average, $3,250)
"Arizona" (Col.) (5 days)
"Where Did You Get That Girl?" (Univ.) (5 days)
"No, No, Nanette" (RKO) (2 days)
"The Saint in Palm Springs" (RKO) (2 days)
HILLSTREET — (2,700) (33c-44c-55c-75c) Gross: $14,000. (Average, $6,500)
"Thief of Bagdad" (U. A.) (5 days)
"Murder Over New York" (20th-Fox) (5 days)
"The Philadelphia Story" (M-G-M) 2 days)
LOEW'S STATE—(2,500) (33c-44c-55c-75c). Gross: $15,600. (Average, $14,000)
"Arizona" (Col.) (5 days)
"Where Did You Get That Girl?" (Univ.) (5 days)
"No, No, Nanette" (RKO) (2 days)
"The Saint in Palm Springs" (RKO) (2 days)
PANTAGES — (3,000) (33c-44c-55c-75c). Gross: $12,000. (Average, $7,000)
"Second Chorus" (Para.) (5 days)
"Alice in Wonderland" (Para.). Matinee only. (5 days)
"Love Thy Neighbor" (Para.) (2 days)
PARAMOUNT — (3,595) (44c-55c-75c). Stage: South American Follies — Don Ricardo & orch., 5 days. Peter Lind Hayes & Fanchonettes—Rube Wolf. orch., 2 days. Gross: $21,000. (Average, $18,000)
"Four Mothers" (W. B.) (5 days)
"South of Suez" (W. B.) (5 days)
"Santa Fe Trail" (W. B.) (2 days)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c). Gross: $16,100. (Average: $14,000)
"Four Mothers" (W. B.) (5 days)
"South of Suez" (W. B.) (5 days)
"Santa Fe Trail" (W. B.) (2 days)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c). Gross: $17,400. (Average: $12,000)

Connors, Cohen and O'Shea Hail Bookers

That new sales policies under the "consent decree" offer to the motion picture booker a golden opportunity for advancement was the substance of brief addresses made before the Motion Picture Bookers Club by Tom Connors, E. K. O'Shea, Harry Brandt, Max A. Cohen and others last night at the organization's annual installation of officers held at the Cafe Loyale. Other speakers were David Levy, Moe Streimer and Joseph Lee, of 20th Century-Fox.

Officers of the club inducted last night were: Harold Klein, president; Leo Greenfield, vice-president; Ben Levine, treasurer; Pearl Goldstein, secretary; Peter Saglembeni, financial secretary; Bernie Brooks, Jack Gelber, trustees, and Harry Margolies, Jenny Dennett, Max Fried and Gelber, board of directors.

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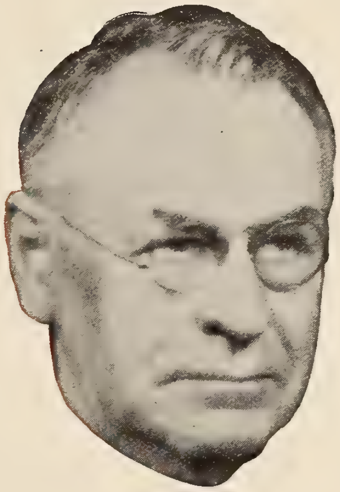

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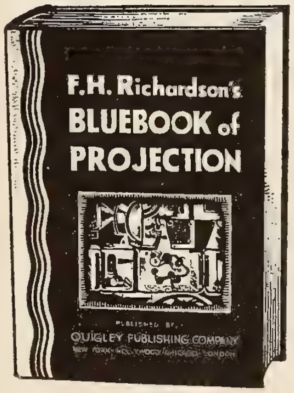
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Defense Unit Holds Initial FCC Session

WASHINGTON, Jan. 6.—Members of the various committees of the Defense Communications board met today with Chairman James L. Fly and other board officials for a discussion of policy, later breaking up into groups for the purpose of perfecting committee organizations.

At the general session this morning, Chairman Fly and other members of the board addressed more than 250 committee members attending, outlining the problems and policies to be dealt with.

In connection with the conference, the board made public the names of committee members, broadcasting representatives on the Domestic Broadcasting Committee being Harry Butcher, vice-president of CBS, with Paul Porter as alternate; John Shepard, 3rd, Boston, president of FM Broadcasters, Inc.; W. E. McFarlane, president, Mutual Broadcasting Co.; Neville Miller, President of the National Association of Broadcasters; Frank M. Russell, vice-president, NBC; Harold A. LaFound, president, National Independent Broadcasters, and Dr. W. R. G. Baker, National Television Systems Committee.

Members of the International Broadcasting Committee included Butcher for CBS; Robert S. Peare. manager of broadcasting, General Electric Co.; Miller for NAB; John F. Royal, vice-president, NBC and Walter S. Lemmon, president, World Wide Broadcasting Corp., with Professor William Y. Elliott as alternate

Mutual Gross for Year $4,767,054

Mutual's gross billings during December soared 81.6 per cent over the same month last year for a total of $576,983 as compared with $317,699. The year's gross billings were $4,767,054, as compared with $3,329,782 for 1939, a rise of 34.3 per cent.

The total gross billings for the four major networks thus were fixed at $96,455,603, an increase of more than $13,000,000 from the 1939 figure of $83,113,801. Mutual showed the greatest increase with its 34.3 rise, with NBC-Blue next with 23.9; CBS with 18.8; and NBC-Red with 9.2. CBS, however, had the greatest volume with $41,025,549; the Red was second with $39,955,322; and the Blue was third with $10,707,678.

Ohio Admission Tax Revenue $1,694,120

COLUMBUS, O., Jan. 6.—Admission tax collections in Ohio for 1940 amounted to $1,694,120.39, as compared to $1,645,147.57 for 1939, a gain of $49,972.82. The tax represents all types of amusements, and no breakdown of theatre admissions is provided.

The state collected $190,710.95 in censorship fees in 1940, compared with $195,083.52 in 1939, a decrease of $4,372.57, according to figures released by the State Treasurer.

Off the Antenna

AT the conclusion of the first year's operation of WKRC, Cincinnati, by the Cincinnati *Star-Times* Co., Hulbert Taft, Jr., general manager, reported a gain of 116.8 per cent in total billings over 1939. The *Star-Times* assumed operation of WKRC in December, 1939. Comparing the initial two weeks of December, 1939 with December, 1940, Taft reported that network business from Mutual was up 368.9 per cent and national spot business was increased by 79 per cent.

• • •

Purely Personal: *Fred Mears, assistant to the publicity director for Mutual, leaves tonight to join the Navy Air Force. . . . Fulton Lewis, Jr., Mutual commentator, was selected one of the* 10 *outstanding young men of* 1940 *by Durwood Howes, editor of* America's Young Men. *Lewis was the only one of this year's selections to have been selected in* 1939. . . . *Martin Block, conductor of "Make Believe Ballroom" over WNEW, returned yesterday from a* 10*-day vacation at Key West, Fla. . . . Marx Loeb, CBS production staff man since mid-December, is directing the Campbell morning shows over CBS for Ward, Wheelock Co. with Diana Bourbon concentrating on the Friday night programs. . . . James E. Gordon has been appointed vice-president and general manager of WNOE, New Orleans, to succeed Ray Huft, ordered to Army duty.*

• • •

Lyn Murray, who composes original music for many of the CBS commercial shows, needed a musical automobile horn for one of his sound effects last week and sent an assistant to buy one. The BMI experts, however, detected strains of "Anchors Aweigh" in the first one and Murray was compelled to reject it. The second horn played something from "I Am an American," another Ascap tune. A concentrated search, however, disclosed an auto horn which played public domain music, Mendelssohn's "Hunting Song."

• • •

Rounding out the reorganization of the NBC program department, Frank E. Mullen, vice-president and general manager, yesterday appointed William B. Miller director of talks. Miller was formerly night program manager and that post will be taken over by J. deJara Almonte, assistant to the president. Almonte will continue to function as assistant to the president.

• • •

Program News: "Woman of Courage" yesterday added 23 stations for a total CBS network of 63. The program is heard Mondays through Fridays at 10:45 A.M. under the sponsorship of Colgate-Palmolive-Peet. . . . WNEW will devote six programs to the President's Birthday Ball. David Lowe will interview Jane Pickens Friday at 12:30 P.M. and two other stage stars on the following weeks. There will also be three dramatizations on Jan. 14, 21 and 28 for the Ball. . . . Hirsch Bros. will sponsor Dorothy Thompson's talks over WGRC, Louisville, beginning Sunday, for 12 weeks . . . Rise Stevens will be guest of Raymond Paige on "Musical Americana" over NBC-Red Thursday at 10:30 P.M.

New Weekly Show Scheduled by CBC

MONTREAL, Jan. 6. — Canadian Broadcasting Corp. will present a new weekly program, "Theatre of Freedom," starting the first week in February. All arrangements are not yet complete, according to Gladstone Murray, CBC general manager, but he revealed that a number of prominent screen and stage performers have offered their services free.

The series, which will be heard Sunday nights between 9:30 to 10:30, is tentatively scheduled to begin with Paul Muni playing the leading role in Ibsen's "An Enemy of the People." Others on the schedule include Galsworthy's "Strife," with Douglas Fairbanks, Jr.; Maxwell Anderson's "Valley Forge," with Philip Merivale: Sir Robert Vansittart's "Victoria the Great," with Anna Neagle and George Sanders; Drinkwater's "Abraham Lincoln," with Walter Huston; George Bernard Shaw's "Saint Joan," with Katharine Cornell; Arch Oboler's "This Precious Freedom," with Raymond Massey; Shelly's "Hellas," with Eva LeGalliene; and Archibald McLeisch's "The Fall of the City" with Orson Welles.

ITO Meets Tomorrow

A luncheon-meeting of the Independent Theatre Owners will be held at the Astor tomorrow with Harry Brandt, president, presiding.

Lincoln Holiday for Opening of 'Bishop'

LINCOLN, Jan. 6.—Mayor O. S. Copeland has designated Jan. 14 a public holiday in observance of the three-theatre premiere of "Cheers for Miss Bishop," the Richard A. Rowland production for United Artists release.

Contests to select local "Miss Bishops" are being conducted in 11 Nebraska cities and the winners will be presented from the stages of the Stuart, Nebraska and Lincoln Theatres on the premiere night. Hollywood personalities, including Tay Garnett, the director; Bess Streeter Aldrich, author of the story and a former Lincoln resident; William Gargan, Neil Hamilton, Mary Anderson, William Farnum, Sterling Holloway, Rosemary DeCamp and others, will attend.

The Coliseum on the University of Nebraska campus, seating 7,000, will be the scene of a luncheon, tea and official dinner preceding the premiere.

Fights FCC Order

BIRMINGHAM, Ala., Jan. 6.—Owners of WAPI here have petitioned the U. S. District Court to overrule a Federal Communications Commission order preventing them from transferring the operating license to the Voice of Alabama, Inc.

Air Audience Up 4.9% Since Ascap Battle

(*Continued from page* 1)

would be unwise for it to express any opinion as to the relative merits of the claims of the parties involved.

The Hooper survey, which is made by telephone calls asking what program the listener is hearing at the time of the call, made more than 30,000 calls in 31 key cities during the three test nights. The 4.9 per cent increase was based on the listening audience for the same programs in the corresponding first week in December. Results generally are not published until 10 days after they are determined but were released yesterday because of widespread interest in them.

Musical programs covered in the survey included Fred Waring, Lanny Ross, Bob Crosby, "Pot o' Gold," "Fame and Fortune," Major Bowes, Glenn Miller, Alec Templeton, "Cities Service Concerts," "National Barn Dance," "Johnny Presents," "Waltz Time," Wayne King, "Pet Milk Serenade" and "Your Hit Parade."

Five musical-variety programs surveyed were "Maxwell House Coffee Time," Bing Crosby, Rudy Vallee, Al Pearce, Kate Smith and Uncle Ezra.

Television Faces FCC 'Showdown'

(*Continued from page* 1)

sible, it is said. First, NBC contends it has experimented sufficiently with program material, and will continue experiments with technical equipment only until definite standards are set. Elaborate programs have virtually been dropped. DuMont is working on installation of a 50-watt transmitter, and no effort has been made toward program service. CBS has yet to shift over to its new channel, and WOR has merely participated in NTSC discussions.

The second factor is the national defense program. Both RCA and DuMont have large defense contracts, and there appears some question whether it would be wise to launch a new industry when plant facilities are severely taxed.

Court Asks Briefs Filed in WPEN Suit

PHILADELPHIA, Jan. 6.—Judge Guy K. Bard in Federal District Court today asked attorneys for the National Association of Performing Artists and WPEN to submit briefs on the question of whether the suits to restrain the station from playing phonograph records should be returned to the jurisdiction of the local Common Pleas Court, as is thought by the society.

Arguments on the issue were originally scheduled to be heard. However, Judge Bard said that if he found it necessary another date will be listed for argument. Otherwise, an opinion will be handed down on the basis of the brief filed.

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Impartial

OL. 49. NO. 5 · NEW YORK, U. S. A., WEDNESDAY, JANUARY 8, 1941 · TEN CENTS

Neely Bill Has Small Chance In Congress

Tobey Offers Measure to Probe Broadcasting

WASHINGTON, Jan. 7. — Block booking and theatre divorcement bills reintroduced by Sen. Matthew M. Neely of West Virginia were regarded in Washington today as having little chance of consideration by Congress.

Capital observers regard this as especially the case should the Senator resign to become Governor of West Virginia, as he is expected to do.

The bills were resubmitted among a large number of measures which were pending when the last Congress adjourned.

Similarly, Sen. Charles W. Tobey of New Hampshire reintroduced his resolution for an investigation of broadcasting, which he proposed last year after conducting long hearings on the reappointment of Thad H. Brown as a member of the Federal Communications Commission.

RKO Sales Forces To Get Decree Data

William Zimmerman, RKO home office attorney, left for Buffalo yesterday to conduct a meeting of the company's branch sales force there on sales and operating procedure under the consent decree. Every RKO exchange in the country will be visited by Zimmerman thereafter to instruct the company's entire field sales force in decree provisions.

Five preliminary meetings were conducted by Zimmerman earlier in the East to obtain a cross section of the problems and questions regarded as most important by the sales force before starting his cross-country trip. The meetings were held here, in Washington, New Haven, Boston and Albany.

Tarkington Not to Attend His Trial

INDIANAPOLIS, Jan. 7.—Booth Tarkington will not attend trial of his $100.000 damage suit against Warners in New York, his secretary, Betty Trotter, said here today. Tarkington's action involves the rights to his novel, 'Penrod and Sam." It was filed several years ago.

U. A. Sales Drive In Honor of Kelly; $20,000 in Prizes

The United Artists' domestic and Canadian sales organizations are conducting a drive in honor of Arthur W. Kelly, vice-president, recently named to head distribution. The drive, which began Monday, will continue through April 19.

Cash prizes aggregating $20,000 have been posted for winners in the drive and the company's sales force has been divided into three groups Each group consists of exchanges whose scope of operation is similar in order to equalize the competition.

Exchanges in the first group are—Boston, Chicago, Cleveland, Detroit, Los Angeles, New York, Philadelphia, Pittsburgh and San Francisco. In the second group are Atlanta, Cincinnati, Minneapolis, St. Louis, Seattle, Washington, Buffalo, Kansas City, Dallas and Eastern Canada. The third includes Charlotte, Denver, Indianapolis, Milwaukee, New Haven, New Orleans, Omaha, Salt Lake City and Western Canada.

All employes in the winning branches will participate in the awards, with $1,000 to be given to each of the three winning branch managers.

L. J. Schlaifer, special sales representative, has been named drive leader. On the judging committee, which will award the prizes, are Harry L. Gold, Haskell M. Masters, Schlaifer, Paul Lazarus, Nat Thompson and Charles Steele.

NEGOTIATIONS ON U. S. MUSIC PEACE

Washington Hears Criminal Prosecutions of NBC, CBS and BMI May Be Averted Through Agreement with Department of Justice

WASHINGTON, Jan. 7.—Possible forestalling of the Government's threatened criminal prosecution of NBC, CBS and BMI through an agreement with the Department of Justice on the operations of BMI in the music licensing field was suggested here today following conferences between their representatives and Department officials.

Such a settlement, it is believed, would not affect the Government's intentions of initiating criminal proceedings against Ascap.

[Ascap officials were invited by the Department of Justice to attend a conference in Washington several days ago but declined, it was learned in New York yesterday. The explanation given was that no satisfactory statement concerning the purpose of the meeting was obtainable in advance.]

The efforts of NBC, CBS and BMI to reach some agreement with the Government were cited as explaining the delay in the filing of the criminal proceedings in Milwaukee, scheduled for early this week.

Department officials refused to comment on the situation other than to admit that there have been discussions with the networks and BMI representatives, but pointed out that they had also had negotiations with Ascap last month which came to nothing. The meeting here was with Victor O.

(*Continued on page* 8)

'Little 3' Dismissal Hearing on Jan. 30

A hearing on the motion of United Artists, Universal and Columbia to dismiss the Government's amended anti-trust suit in U. S. District Court here was set for Jan. 30 before Federal Judge Henry W. Goddard yesterday.

A similar motion is pending in connection with the Government's amended action against the Little Three and the Griffith Amusement Co. in Federal court at Oklahoma City where it is scheduled for hearing Jan. 28. Louis D. Frohlich of Schwartz & Frohlich, Columbia counsel, is preparing a motion to dismiss the Government's

(*Continued on page* 6)

Billboards, Chance Games, Labor in N. Y. Legislature

By RICHARD J. CONNERS

ALBANY, Jan. 7.—The New York State legislature will inaugurate its new session tomorrow with Gov. Herbert H. Lehman reading his annual message to the 150 Assemblymen and 51 Senators. Governor Lehman is expected to renew his plea for restriction on advertising billboards along highways, a move thus far blocked by the opposition of labor and exhibitors.

As revealed by MOTION PICTURE DAILY several weeks ago, Senator Phelps Phelps, Manhattan Democrat, will offer the first bill of interest to the industry tomorrow when he introduces a constitutional amendment to the law prohibiting gambling. Senator Phelps seeks to legalize lotteries, to be state-operated with proceeds used for the general treasury or defense means.

Legalization of chance games and dog racing, rejected as impractical in the past, may receive more consideration in 1941 due to the tremendous $5,998,000 revenue derived by the state in the first year of the Dunnigan-Penny pari-mutuel operation.

Senator Phelps and Assemblyman Robert J. Crews probably will reintroduce the two-men-in-a-booth measure which they sponsored for the I.A.T.S.E. last session. Crews obtained a vote on this bill in the Assembly two years ago on order of final passage.

The State Federation of Labor's executive committee has announced its intention again of backing a bill sponsored by theatrical employes which would make directors of any corporation responsible for the payment of wages.

One defense-conscious bill which

(*Continued on page* 6)

Block-of-10 Sales Ordered in Cuba

Borrowing a chapter from the Government consent decree here, Cuba in the near future will publish a decree which will provide for the sales of pictures in blocks of 10 and for the establishment of arbitration for the industry, Arthur Pratchett, Paramount manager for Central America, now here, said he had been advised from Havana yesterday.

The decree is regarded as a com-

(*Continued on page* 6)

Reviewed Today

Reviews of "Land of Liberty" and, from Hollywood, "Maisie Was a Lady" are on Page 4.

Coast Flashes

Hollywood, Jan. 7

PACIFIC Coast Conference of Independent Theatre owners will hold its quarterly meeting of trustees Jan. 12 and 13 in Portland Ore. The New York case consent decree will be analyzed by the officers with Albert J. Law, former assistant U. S. Attorney General and now counsel for the organization. Attending from Los Angeles will be Robert H. Poole, executive secretary, Hugh Bruen and Jack Berman, trustees. H. V. (Rotus) Harvey and Ben Levine will represent San Francisco, L. O. Lukan and William Ripley, Washington and Robert White and A. West Johnson, Oregon.

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It was announced today that "Fantasia" will open its local run Jan. 29 at the Carthay Circle, as published recently in MOTION PICTURE DAILY. The formal premiere will be at $5.50 top, with roadshow prices thereafter.

•

Universal will hold the world premiere of "Back Street," Charles Boyer-Margaret Sullavan film, in Miami Feb. 4. Bruce Manning, the film's producer, and others will attend from Hollywood, together with home office representatives and key city newspaper critics.

•

Darryl F. Zanuck returned to the studio today by plane from the East.

Personal Mention

NEIL AGNEW, Paramount vice-president and distribution head, will return to New York from the Coast on Friday. ROBERT GILLHAM, advertising and publicity director, will arrive from the Coast on Monday.

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ROY HAINES, Warners Eastern sales manager, returns today from Washington.

•

ABE SCHNEIDER, Columbia treasurer, is vacationing in Florida.

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JULES LAPIDUS, New York district manager for Universal, left yesterday for Boston. He will stop also at New Haven and Philadelphia before returning at the end of the week.

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H. M. RICHEY, assistant to William F. Rodgers, general sales manager of M-G-M, leaves today for the studio.

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HARRY F. SHAW, Loew-Poli division manager in New Haven, will have charge of newsreel activity at the inauguration of Governor Hurley of Connecticut at Hartford today.

•

WILLIAM K. SAXTON, Loew's city manager in Baltimore, enters Sinai Hospital this week for an operation.

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FRED WARNER, operator of the Paramount, New Haven, and MRS. WARNER, plan to leave soon for Florida by car.

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IRVING MARTIN, publicity man at the Stanley in Baltimore, is spending a brief vacation at Richmond.

GRADWELL L. SEARS, Warner general sales manager, has postponed his Coast trip to February.

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ADOLPH SCHIMEL, Universal home office attorney, will return from the Coast early next week.

•

J. WALTER RUBEN, M-G-M producer, and his wife, VIRGINIA BRUCE, are here for a two-week vacation.

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CHARLES LEVINE of the Strand Amusement Co., Bridgeport, Conn., will leave for a Florida vacation later this month.

•

EDMUND C. GRAINGER, GRADWELL L. SEARS, ADOLPH ZUKOR, CHARLES CASANAVE, TOBEY GRUEN, ARTHUR PRATCHETT, WILLIAM ORR, SAM SHAIN, MAX A. COHEN, LEON NETTER, SAM SPRING, E. K. O'SHEA, HERMAN GLUCKMAN, A. BERNSTEIN, JOHN W. HICKS, OSCAR MORGAN, CHARLES REAGAN and GEORGE WELTNER having lunch at Nick's Hunting Room in the Astor yesterday.

•

ARTHUR MAYER, JOSEPH MALCOLM, MAURICE BERGMAN, WILLIAM FITELSON, CHARLES PAINE, WALTER FUTTER, I. E. LOPERT and EMANUEL SILVERSTONE at the Tavern yesterday for lunch.

•

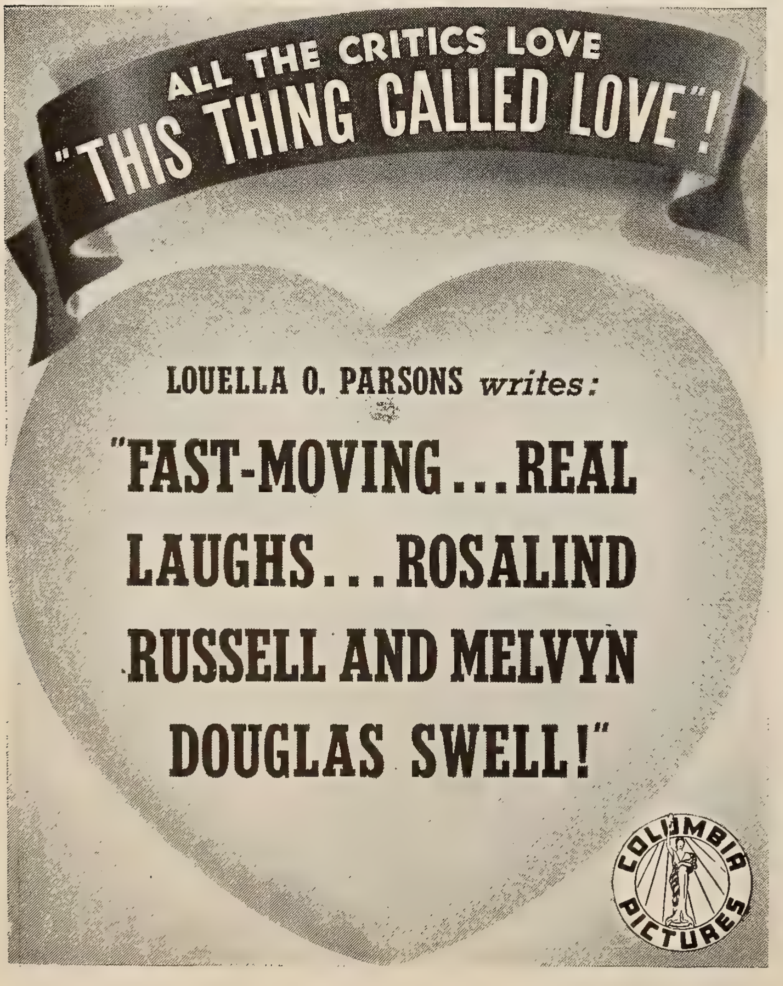
B. S. MOSS, HAL HORNE, LOU BRANDT and CHARLES STERN lunching yesterday at Lindy's (51st St.).

•

AL RICHARD, AUSTIN KEOUGH, LEONARD GOLDENSON, VINCENT TROTTA, ARTHUR KRIM, EDWARD CHODOROV, OTTO PREMINGER, DAVE BLUM, WILLIAM MELNIKER and HENRY KRECKE at Sardi's for lunch yesterday.

•

ABE MONTAGUE, NATE SPINGOLD, LOU WEINBERG, MONROE GREENTHAL and AL MARGOLIES having lunch yesterday at Lindy's (next to the Rivoli).


ALL THE CRITICS LOVE
"THIS THING CALLED LOVE"!
LOUELLA O. PARSONS writes:
"FAST-MOVING... REAL LAUGHS... ROSALIND RUSSELL AND MELVYN DOUGLAS SWELL!"
COLUMBIA PICTURES

Blank, Branton to Parley on Defense

DES MOINES, Jan. 7.—A. H. Blank and G. Ralph Branton, heads of Tri-States Theatre Corp., left for Chicago today to attend the exhibitors meeting on national defense cooperation there this week. Blank will also attend a meeting of the committee in charge of the fifth anniversary testimonial for Barney Balaban, Paramount president, to be held in Chicago Jan. 23.

Branton will continue to New York for Paramount home office conferences.

Cowdin's Father Is Dead Here, Aged 83

John Elliott Cowdin, father of J. Cheever Cowdin, Universal board chairman, died yesterday at Harkness Pavilion after a long illness. He was 83 years old. Funeral services will be held tomorrow at 10:30 A.M. at St. James Church, Madison Ave. and 71st St. Burial will be private.

Set Des Moines Shows

DES MOINES, Jan. 7.—The Orpheum here will return stage attractions to Des Moines starting Jan. 24, with production shows from the regular RKO circuit presented.

Newsreel Parade

PRESIDENT ROOSEVELT'S message to Congress is given footage in the new issues about equal to that given him last week. Paramount News offers a review of the past year's important events with the reaction to each as seen in newspaper cartoons which have been animated by the Fleischer studios.

MOVIETONE NEWS, No. 35—Roosevelt addresses Congress. King George visits Southampton. Petain in Marseilles. De Gaulle with the French fleet in England. Victory celebration in Athens. Harry Hopkins departs for London. Ambassador Phillips leaves for Rome. Zanuck wins film critics award. Amateur boxing in Washington. Ski jumping in Wisconsin.

NEWS OF THE DAY, No. 233—Roosevelt's address to Congress. Petain in military ceremony. De Gaulle in England. Greece celebrates victories. Mrs. Roosevelt wears new gowns. Ski meet at Bear Mountain. Badminton matches.

PARAMOUNT NEWS, No. 38—Outstanding events of 1940.

RKO PATHE NEWS, No. 38—Roosevelt's speech. Hopkins to England. Brazil reinforces its navy. Football "bowl" games.

UNIVERSAL NEWSREEL, No. 943—Roosevelt's address to Congress. Christmas celebrated in England. De Gaulle inspects French ships in England. Mummers parade in Philadelphia. Hopkins flies to London. Water sports in Miami. Ski meet in Wisconsin. East-West football game.

Balaban, Ramsaye Address Para. Club

The motion picture industry is the third largest in the country and the first in public interest, Barney Balaban, Paramount president, said in a talk to the educational committee of the Paramount Pep Club, employes' organization, at the home office yesterday.

Terry Ramsaye, editor of *Motion Picture Herald*, addressed the club on "Success Is Where You Find It," recounting little known anecdotes of the careers of leading industry personalities.

Balaban traced the development of the theatre business from 1907, when the first B. & K. theatre was established in a former store equipped with camp stools. The speakers were introduced by Claude Lee of Paramount. Arthur Israel, club president, presided at the meeting.

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COMRADE X
THE PHILADELPHIA STORY
FLIGHT COMMAND

3 WAYS TO GET OUT OF HOCK!

Vith chuckles and shekels M-G-M has started its 1941 career in a laze of box-office glory. Laughing their way into record business re "COMRADE X" and "PHILADELPHIA STORY" whose ustaining power in its day-and-date Los Angeles engagement nd whose sensational Music Hall business gives you an idea of vhat to expect. (*3d week at the Music Hall and going bigger than ver after setting a five-year record!*) "COMRADE X" is in its 3d ig week at the Capitol, N. Y., and a hold-over joy everywhere. FLIGHT COMMAND" is just what America and your box-ffice crave right now. Three in a row and it's only the *start* of a appy and FRIENDLY New Year.

CLARK GABLE · HEDY LAMARR in "COMRADE X." A King Vidor Production with Oscar Homolka, Felix Bressart, Eve Arden. Screen Play by Ben Hecht and Charles Lederer. Directed by King Vidor. Produced by Gottfried Reinhardt
An M-G-M Picture

CARY GRANT • KATHARINE HEPBURN • JAMES STEWART in "THE PHILADELPHIA STORY" with Ruth Hussey, John Howard, Roland Young, John Halliday, Mary Nash and Virginia Weidler. Screen Play by Donald Ogden Stewart. Based on the Play by Philip Barry, produced by The Theatre Guild Inc. Directed by George Cukor. Produced by Joseph L. Mankiewicz. An M-G-M Picture

With the Gratefully Acknowledged Cooperation of the United States Navy, Metro-Goldwyn-Mayer presents ROBERT TAYLOR in "FLIGHT COMMAND" with Ruth Hussey, Walter Pidgeon, Paul Kelly, Shepperd Strudwick, Nat Pendleton, Red Skelton. A Frank Borzage Production. Screen Play by Wells Root and Commander Harvey Haislip. Directed by Frank Borzage. Produced by J. Walter Ruben
An M-G-M Picture

MPPDA Directors Study Money Split

Problems associated with the allocation among the eight major companies of the $12,900,000 which may be withdrawn from Great Britain this year again occupied the M.P.P.D.A. Board of directors at an adjourned quarterly meeting yesterday.

The board is scheduled to meet again early next week, Will H. Hays, president, having postponed a projected trip to the Coast this weekend. He will leave later to attend the annual meeting of the Association of M. P. Producers in Hollywood, Feb. 4.

Circuit executives were called in for yesterday's board meeting to discuss exhibition plans for "The Land of Liberty," the industry's cooperative film being distributed by M-G-M in the interests of national solidarity and charity. Among the circuit executives present were: Leonard Goldenson and Leon Netter of Paramount; C. C. Moskowitz, Loew's; Charles Skouras and William Powers, National Theatres, and L. E. Thompson, RKO.

At the board meeting were: Jack Cohn, E. W. Hammons, Joseph Hazen, Hays, Frederick L. Herron, Austin Keough, W. C. Michel Charles D. Prutzman, George J. Schaefer, Nicholas M. Schenck and Maurice Silverstone.

Operator Gets Job Back in Arbitration

Justice McGarry in Supreme Court Brooklyn, yesterday confirmed an arbitration award in favor of Empire State Operators Union ordering the reinstatement of Walter Underhill, a projectionist formerly employed by the Grand Theatre in Brooklyn, operated by Abraham H. Levy.

Underhill was discharged last year when the United Theatrical & M. P. Service Employes Union signed a contract with the house. Empire filed a complaint with the State Labor Relations Board and the controversy was submitted to arbitration by Sidney A. Wolff. Back pay for Underhill was waived because he has been steadily employed since his dismissal. Boudin, Cohn & Glickstein represented Empire.

Lodge Will Install Officers on Jan. 21

New officers for 1941 of the Cinema Lodge, B'nai B'rith, will be installed Jan. 21 at the Hotel Edison. The program will be featured by an address by Dr. Abraham Sachar of the University of Illinois, national director of the Hillel Foundation. Arthur Israel, Jr., is president of the lodge.

Industry executives and high B'nai B'rith officials are among those who have accepted invitations to attend the installation.

A membership meeting this week heard reports by the membership committee headed by Robert Weitman, and the arrangements committee for the second annual ball, of which David Weinstock is chairman.

Bill Elliott to Tour

HOLLYWOOD, Jan. 7.—"Wild" Bill Elliott, Columbia western player, will leave Jan. 10 for a personal appearance tour in the South.

Feature Reviews

"Land of Liberty"

(Sponsored by the Industry—Released by M-G-M)

SPONSORED by the Motion Picture Producers and Distributors of America and released by M-G-M on a non-profit basis, for the benefit of various war relief funds, this cavalcade of American history is at once a magnificent job of film editing and a powerful example of screen propaganda in its finer sense.

The experienced and expert hand of a master craftsman is readily apparent in the editing by Cecil B DeMille. He was assisted by Herbert L. Moulton, Francis S. Harmon, Arthur H. DeBra and William H. Pine. James T. Shotwell, noted historian, acted as historical consultant, and the commentary was by James MacPherson and Jesse Lasky, Jr.

This is the picture which, in greater length, was shown at the New York and San Francisco World's Fairs of 1940, after long preparatory effort in which virtually every studio in the film business participated.

With bits culled here, there and everywhere, from newsreel clips, features and short subjects produced over the years on varied American historical events, the editors have compiled in effect a screen history of the United States of America, in highlight.

With the actual sound track of the film sequences used in many instances, with others suplemented by an accompanying narration, has been woven a compact, swiftly moving panorama of the beginnings and the growth of this great nation. It is studded with the drama which is inherent in the development of a united people, through bloodshed, hardship and innumerable growing pains. The story is carried through from the early settlement of the Pilgrims in Massachusetts, the Revolution, the Westward trek, Civil War, reconstruction, industrial development and the Panama Canal, the World War and the present conflict which finds us involved in the convulsions of the world. The concluding sequences in Technicolor of city and mountain vistas are almost breathtaking in their beauty.

In consideration of the present temper of the people of this country, general world conditions and the preoccupation of the nation with matters of freedom and the support of the democratic ideal, this film should find strong popular support at the theatre.

Running time, 98 minutes. "G."* CHARLES S. AARONSON

"Maisie Was a Lady"

(M-G-M)

Hollywood, Jan. 7

THIS fourth in the Maisie series of comedy dramas profits by strengthening of cast and broadening of story. With Ann Sothern, who continues her portrayal with expertness, are Lew Ayres as the rich young man whose life she influences, Maureen O'Sullivan as his sister, C. Aubrey Smith, Joan Perry, Paul Cavanagh and Edward Ashley, plus a large supporting cast.

The film opens with Miss Sothern appearing as headless woman in a carnival and Ayres as a millionaire drunk who breaks up the show. She loses her job, he lends her his car, she is arrested on suspicion of having stolen it, and the judge, weary of his escapades, sentences him to employ her for two months at the salary she received from the carnival.

With this start, the story moves into his wealthy home, where she is established as maid, and in this setting her outspoken manner creates conflicts with the house guests. Her sympathy is drawn to the daughter of the household, about to be married to a man who covets her fortune, and she brings the girl's absentee father and errant brother to a proper appreciation of the girl's position and problems. An engagement with the brother, now reformed, follows.

J. Walter Ruben produced the picture, with Edwin L. Marin directing. Betty Reinhardt and Marcy C. McCall, Jr., wrote the script from a story by Miss Reinhardt and Myles Connolly. Emphasis is switched from comedy to drama and back again repeatedly as the story progresses.

Running time, 78 minutes. "G."* ROSCOE WILLIAMS

** "G" denotes general classification.*

Sanders' Father Hurt

Henry Sanders, father of Errol Sanders, head of the RKO home office mail and messenger service, was wounded by bomb splinters recently in Birmingham, England, according to a cablegram received by his son.

Protests Price Rise

NORTHHAMPTON, Mass., Jan. 7.—Alderman Francis P. O'Donnell has protested increased prices at the Calvin Theatre. He has called on Mayor O'Connor to prevent a recurrence of the increase.

Circuit Meet Friday On Paralysis Drive

Theatre managers and circuit district managers, together with home office executives of at least five of the leading circuits in the New York—New Jersey area, will hold a joint meeting at 11 a.m. Friday at the Hotel Astor, to outline plans for helping the National Foundation for Infantile Paralysis drive.

More than 760 out of the 1,187 theatres in the New York exchange area already have enrolled to cooperate in the "March of Dimes" drive, which takes place the week of Jan. 16. The circuits to be represented at Friday's meeting include Loew's, RKO, Brandt, Skouras and Randforce. The group will be addressed by C. C. Moskowitz and Harry Brandt, co-chairmen of the New York Theatres Committee.

Balaban to Discuss Film Ad Problems

The job of the film advertising man in relation to present industry conditions will be discussed by Barney Balaban, Paramount president, at the Ampa luncheon meeting at the Hotel Edison tomorrow. Because of the illness of John C. Flinn, who was scheduled as toastmaster, the guest speaker will be introduced by Charles C. Pettijohn, general counsel of the M.P.P.D.A.

Ampa officials expect about 200 to attend the luncheon. Another speaker will be Jean Hersholt, president of the Motion Picture Relief Fund.

The Ampa board at a meeting yesterday discussed plans for the Silver Jubilee anniversary dinner and dance to be held April 4 at the Edison.

W. B. Shifts Theatre Men in Philadelphia

PHILADELPHIA, Jan. 7.—Realignment of Warner first run managers here, resulting from the resignation of David Weshner as supervisor of first run houses to become exploitation director for United Artists, were completed yesterday.

Maurice Gable, manager of the Boyd, succeeds Weshner; Harry Tarante, manager of the Aldine, replaces Gable; George Balkin, assistant manager of the Fox, replaces Tarante; Harold Seidenberg becomes manager of the Earle, and William Israel becomes manager of the Fox.

A.A.A. Names Wood As Film Comptroller

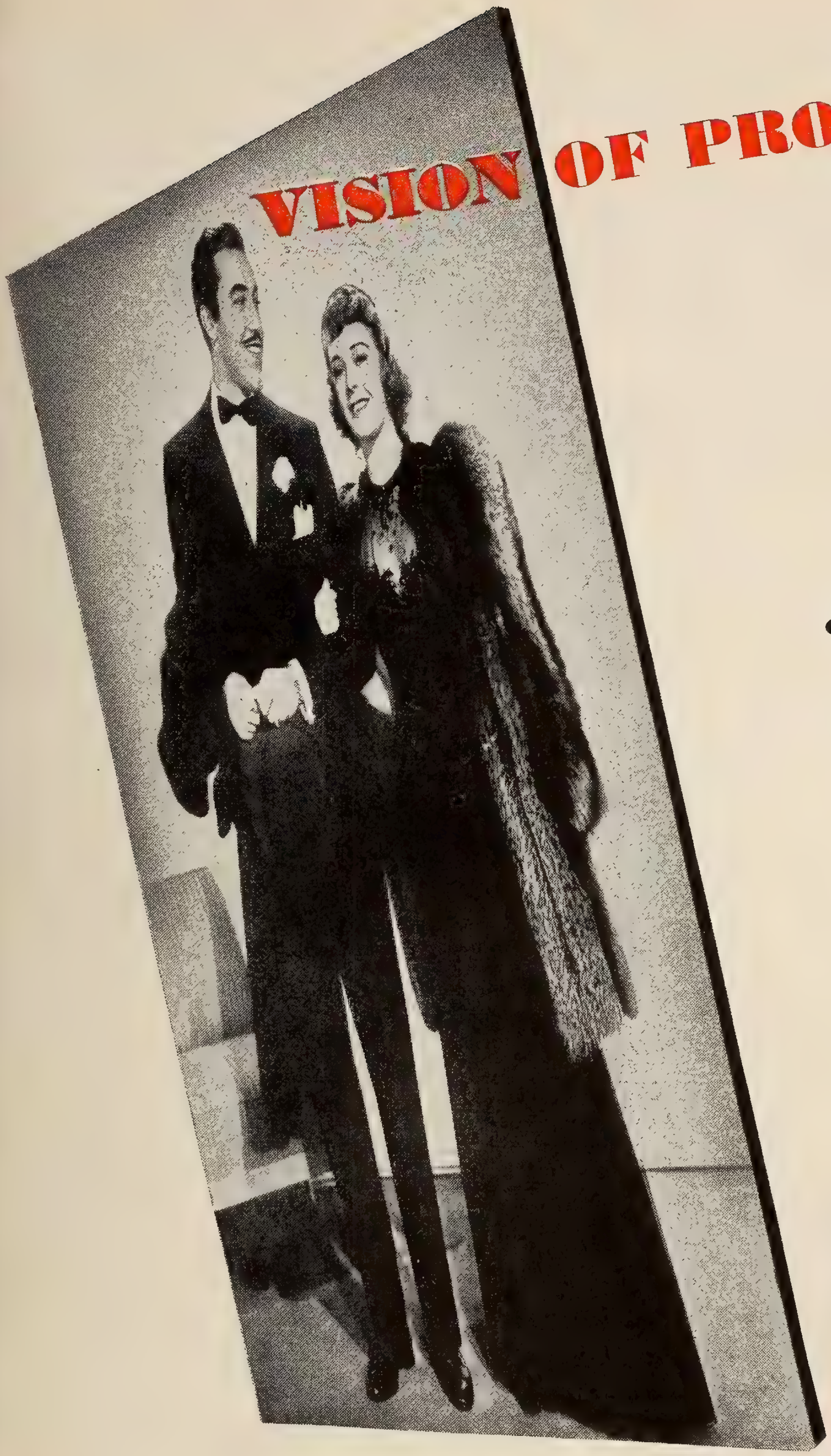
The American Arbitration Association yesterday appointed Elbert Morse Wood as comptroller and the firm of Kurz & Kurz as auditors of the industry's arbitration system.

Wood is a member of the New York State Society of Certified Public Accountants and has served as district auditor for the Philippine Islands. He aided in the formation of an accounting system for the American Red Cross. The newly appointed auditors have set up the financial system for the 31 industry arbitration boards.

Kirkeby Forms Company

SPRINGFIELD, ILL., Jan. 7.—A charter has been granted to the Kirkeby Amusement Co., Chicago. Incorporators are A. S. Kirkeby and H. S. O'Neal.

VISION OF PROFITS TO COME---



Here's a new slant on just what you're thinking about! (*Boxoffice, of course!*)

TALL, DARK *and* HANDSOME

with

CESAR ROMERO
VIRGINIA GILMORE
MILTON BERLE
Charlotte GREENWOOD
and **SHELDON LEONARD**
STANLEY CLEMENTS • FRANK JENKS • BARNETT PARKER

Directed by
H. BRUCE HUMBERSTONE
Associate Producer Fred Kohlmar
Original Screen Play by Karl Tunberg and Darrell Ware
Music and Lyrics by Leo Robin and Ralph Rainger
Dances Staged by Nicholas Castle and Geneva Sawyer

Laughter!
Excitement!
Songs!

It's 1941's New Formula--Release Jan. 24

Billboards, Chance Games Up at Albany

(Continued from page 1)

may be introduced early in the session would overcome the present inability of the Motion Picture Division to censor propaganda pictures and newsreels. Section 1082 of the Education Law limits rejections to immoral, sacrilegious grounds, etc. With more foreign-made pictures licensed in 1939-'40 than in 1938-'39, some check on foreign propaganda is likely to be sought.

Spearhead of the drive to eliminate billboard advertising along highways are safety groups, civic improvement societies, garden clubs and realtors, while many downstate legislators are opposed due to labor opposition and upstate solons oppose due to restriction of small handbills which rural exhibitors post along farm barns and roadside property advertising their bookings.

Exhibitors do not look for any new taxes on their box-office but may get behind a new anti-Ascap bill to project the spotlight on the per seat music charge in view of the drive by broadcasting networks against Ascap.

Reopen Atlanta Theatre

ATLANTA, Jan. 7.—Lucas & Jenkins have reopened the Roxy and will play holdover shows. Ed Shepard, former assistant manager of the Paramount, is the new Roxy manager.

Heroine

San Francisco, Jan. 7.—Mickey Bell, Warfield Theatre cashier, not only is a heroine to co-workers—as a result of maneuvering the capture of a would be box-office bandit — but has been handsomely rewarded by the management. She kidded a robber while stepping on a buzzer which attracted the attention of John Strachan, assistant manager, who overpowered the man.

'Little 3' Dismissal Hearing on Jan. 30

(Continued from page 1)

amended complaint in Federal court at Nashville and will file the action there in the near future.

Benjamin Pepper of O'Brien, Driscoll & Raftery, United Artists and Universal counsel, yesterday asked for the Jan. 30 hearing because Edward C. Raftery of defense counsel will be at United Artists meetings on the Coast during the next two weeks.

Reserves Decision

N. Y. Supreme Court Justice Peter J. Schmuck yesterday reserved decision after a two-day trial of the suit of Stephen Tamas against 20th Century-Fox. Tamas claims he was asked to prepare a scenario in 1936 for a Shirley Temple film later called "Stowaway," that it was rejected and a similar one by Samuel Engel substituted. He seeks damages.

ALL THE CRITICS LOVE
"THIS THING CALLED LOVE"!
"Sparkle and zest certain to lift it into top bracket of box-office pictures for 1941!"
—J. D. Spiro, CLEVELAND PLAIN DEALER
COLUMBIA PICTURES

Loew-Lewin Picture Premiere in Miami

World premiere of "So Ends Our Night," first David L. Loew-Albert Lewin production for United Artists release, has been set for Jan. 24 in Miami, with a simultaneous opening at the Lincoln and Surf theatres. Seats will be reserved, at $2.20 top. Loew and Lewin, now en route to New York from Hollywood, will attend.

'Le Moko' to Open at World Theatre Here

"Pepe Le Moko," French film produced by Paris Film Productions, directed by Julien Duvivier, and released in this country by Mayer & Burstyn, will open at the World Theatre at the conclusion of the current run.

From this picture the American film, "Algiers," starring Charles Boyer, was produced. The original French film was reviewed in MOTION PICTURE DAILY on March 29, 1937, by Pierre Autre, Paris correspondent. At that time he said the film "may be considered one of the finest achievements of the French studios."

Reviewers in Atlanta Vote 'Rebecca' Best

ATLANTA, Jan. 7.—Atlanta newspaper critics were unanimous in selecting "Rebecca," produced by David O. Selznick, as the outstanding film of 1940.

Ernest Rogers of the Atlanta *Journal* picked also "Boom Town," "Our Town," "Great Dictator," "Foreign Correspondent" and "Howards of Virginia." Lee Rogers, film editor of the Atlantic *Constitution,* also named: "All This and Heaven, Too," "The Letter," "Susan and God," "Foreign Correspondent," "Pastor Hall," "Our Town," "Boom Town," "Ghost Breakers," "Pride and Prejudice" and "My Favorite Wife."

Para. Seeks Olivier And Leigh for Film

HOLLYWOOD, Jan. 7.—Laurence Olivier and Vivien Leigh, now homeward bound for England, will be sought for the leads in James M. Barrie's "The Admirable Crichton," which Paramount plans to produce in England, David Rose, in charge of Paramount's British production, disclosed. He will discuss the matter with them upon his return to England, for which he plans to sail Jan. 25. Rose expects to make "Hatter's Castle" first, however.

New Orleans Music Unit Names Pepitone

NEW ORLEANS, Jan. 7.—Giacomo Pepitone has been reelected president of the Musicians' Mutual Protective Union here.

Other officers are: Charles Hartman, vice-president; Robert Aquilera, recording secretary; Ralph L. Chabao, financial secretary and Sal Castigliola, sergeant-at-arms. Anthony Almerica, E. G. Gerbrecht, E. D. Fontana, Leo Brokehaven and Jean Paquay were chosen members of the board of directors.

Block-of-10 Sales Ordered in Cuba

(Continued from page 1)

promise measure to replace the anti-block booking law which was scheduled to go into effect Jan. 1, but which was opposed by both exhibitors and distributors in Cuba.

A committee of nine government officials has been named to draw up the new Cuban decree. It will provide for an arbitration committee of distributor and exhibitor association representatives and a representative of the Cuban Department of Commerce, the latter to be chairman. It will arbittrate all disputes arising within the industry, Pratchett said he was advised.

Pratchett will leave for Mexico City next weekend with John W. Hicks, Paramount vice-president and foreign manager. The two will conduct a meeting of Paramount's Central American managers in Panama City, Feb. 6 to 8.

Seeks Withdrawal From Reading Suit

PHILADELPHIA, Jan. 7.—Federal Judge Bard today reserved decision on the motion of David B. Brodstein, operator of the Orpheum, Reading, to have his name stricken as a defendant in the anti-trust suit filed last November by Harry Block and Henry Sork, Reading exhibitors. Brodstein claims that as operator of a single house he was not involved in the clearance situation made the basis of the suit against seven exhibitor groups and the major distributors.

College Presidents Will Tour Studios

HOLLYWOOD, Jan. 7.—College presidents attending the annual convention of the Association of American Colleges in Pasadena will be guests Saturday at a luncheon at MGM, given by the Academy of Motion Picture Arts and Sciences.

Walter Wanger will preside. A tour of the studios will follow the luncheon at which representatives of various film organizations and stars will speak.

Montana Screen Club Established

BUTTE, Mont., Jan. 7.—The Montana Screen Club has been organized here. Edward Loy has been elected president and Bert Hensen, vice-president.

Other officers are: Harry Swonson, secretary and treasurer, and Clyde Anderson, publicist. The board of directors comprises Anderson, Frank Berryman, Sam Appleman, Joseph Kracher, Cordell Enrooth and Frank Larsen.

Briefs Due Saturday In Indiana Tax Suit

INDIANAPOLIS, Jan. 7.—Judge Henry O. Goett has set Saturday as deadline for filing briefs by plaintiff exhibitors and defendant Indiana state officials in the test suit which asserts that state gross income tax levies on percentage films constitute a "double tax."

A message to 1,187 THEATRES —*including* YOURS!

THE week starting January 16th has been set as "MARCH OF DIMES" WEEK in the motion picture theatres of the New York exchange area. There are 1,187 theatres in this area—including YOURS! So far over 760 theatres have gladly, enthusiastically volunteered to cooperate. Indications are that every one of the 1,187 will join this worthy cause—including yours.

It is hoped to gather millions of dimes from moviegoers for the National Foundation for Infantile Paralysis! If you are at all familiar with this inspiring charity, we know you will lend your cooperation eagerly. This is one charity your patrons will be happy to help with their dimes.

Special, colorful receptacles will be supplied for all theatre lobbies by the Infantile Paralysis Foundation campaign committee at no cost to you. A special emblem, to give those who contribute, will be supplied to you at no cost. (This expense has been paid by private donations from several exhibitors.) Trailers to insert in newsreels will be sent to you gratis.

This is a grand opportunity for the motion picture exhibitors to do a great public service. Write, wire or phone your zone committee chairman that you will cooperate.

HARRY BRANDT—C. C. MOSKOWITZ
Co-chairmen for New York area

SI FABIAN
Treasurer

COMMITTEE FOR NEW JERSEY
J. J. Thompson *Harry Hecht*

COMMITTEE FOR UPSTATE N. Y.
Max Cohen

COMMITTEE FOR MANHATTAN
Martin Devine *Leo Brecher*

COMMITTEE FOR THE BRONX
Laurence Bolognino *Joe Katsh*

COMMITTEE FOR BROOKLYN
Samuel Rinzler *D. Weinstock*

COMMITTEE FOR QUEENS
Frank Moscato *Samuel Strausberg*

COMMITTEE FOR LONG ISLAND and STATEN ISLAND
Si Fabian

The committees are grateful for the immediate and whole-hearted response from the following circuits: Loew's, RKO, Brandt, Fabian, Harry Hecht, Cocalis, Randforce, Century, Consolidated, Leo Brecher, Max Cohen, Raybond and others.

PAGE DONATED BY THIS PUBLICATION

Negotiations On for U. S. Music Peace

(Continued from page 1)

Waters, who has been handling the Ascap-BMI case for the Government.

Indictment Would Bar Contracts, Says Ascap

Ascap officials in New York yesterday stated that should the Government obtain a criminal indictment against the society it would act as a complete bar to any licensing contracts with the networks until after trial of the criminal charges.

Ascap, it was said, would have to regard the making of contracts with networks as an act in support of whatever conspiracy and monopoly might be alleged by the Government in obtaining its indictment.

Ascap officials also said that they would attempt to avoid a trial of any case which the Government might bring against the society in Milwaukee before Federal Judge F. Ryan Duffy on the grounds that, as the sponsor of copyright legislation inimical to Ascap while a United States senator, he had shown prejudice against the society. His disqualification would be asked, it was said, but the society is willing to go to trial before any other Federal judge in Milwaukee.

Broadcasters and BMI Heads Meet

WASHINGTON, Jan. 7.—A joint meeting of the executive committee of National Association of Broadcasters, the board of directors of BMI and the executive committee of Independent Radio Network Affiliates was held here today. At its conclusion, Neville Miller, NAB president, issued the following statement:

"We had a general discussion of all phases of the music situation. Of course all of us were delighted with the way that radio stations all over the United States have been able to continue their excellent public entertainment without Ascap music. In our opinion this means that radio has won its fight to break Ascap's stranglehold on American music and creative talent."

First 'Soundies' Ready

The Roosevelt-Mills coin film machine organization has completed its first reel of "Soundies" consisting of eight band presentations, each running about three minutes. Orchestras of Vincent Lopez, Will Bradley and Ray Kinney are featured.

Ascap Controls University Song

St. Louis, Jan. 7.—Station WEW operated by St. Louis University, will be unable to use the school's varsity song because the number is controlled by Ascap. In view of the current dispute in radio music, WEW has temporarily discontinued the Public School Music Series, a weekly feature.

Off the Antenna

HAVING completed installation of filters which will permit use of the same antenna for both FM and television, NBC has inaugurated FM programs which will be heard Wednesdays through Sundays instead of Mondays through Fridays. The hours of 3-11 P.M. will remain the same and regular network programs will continue to be used. One important shift, however, will be the change from 43.9 m.c. to the new frequency of 45.1. Use of the new antenna will make possible an all-directional service for FM instead of the former uni-directional transmission. With the antenna atop of the Empire State Building, the all directional antenna will make possible much broader service.

• • •

Purely Personal: *Irving Price has been named WNEW promotion manager. Maurice Hart, formerly with WMCA and WAAT, has joined the station's announcing staff. . . . Jane Cowl will be guest on "Luncheon at the Waldorf" Saturday. . . . Marie Stark will appear as co-announcer with her husband, Charles Stark on "The Home of the Brave" over CBS, Mondays through Fridays at 2:45 P.M.*

• • •

Four new stations will join the Mutual network within the next eight days. Three Arkansas outlets will join Sunday. They are KGHI, Little Rock, 1,200 k.c., 250 watts; KWSC, Hot Springs, 1,310 k.c., 250 watts, and KOTN, Pine Bluff, 1,500 k.c., 250 watts. The fourth, which will join next Wednesday, is WPAY, Portsmouth, Ohio, operating on 1,370 k.c. with 100 watts.

• • •

WKBW, Buffalo, having been designated a Class 1 clear channel station by the FCC, has started work on its new transmitter and expects to go from 5,000 watts to 50,000 on July 1. Its night time coverage will increase from 1,400 square miles to 8,800, according to figures submitted to the FCC, while the population reached will be raised from 881,400 to 1,225,000. The evening rate will be raised from $350 to $400, effective when the new power boost goes into effect. At about the same date, WKBW will become the exclusive CBS outlet in Buffalo with WGR carrying only a few hours of CBS shows on Sundays.

• • •

The basketball broadcasts which were a highlight of last Winter's sports program over WNEW but which failed to return to the air this year because no sponsor could be found, will be heard shortly via CBS. Mel Allen will describe the final minutes of the second game from Madison Square Garden with a summary of the first game's action during the regular "Sports Time" series which is heard over the network Mondays through Saturdays at 11 P.M.

• • •

WOC, Davenport, Ia., will join NBC-Blue as a basic station March 16 as the 228th NBC affiliate, with WWVA, Wheeling, W. Va., which was previously announced, joining the Blue May 2 as the 229th affiliate. WOC operates on 1,370 k.c. with 250 watts. The network rate will be $120 per evening hour and $10 for night time cut-ins.

Canadian BMI Asks Royalty Share

TORONTO, Jan. 7.—The musical copyright situation in Canada became more complex when it was announced by Joseph Sedgwick of Toronto, legal representative of Broadcast Music, Inc., of Canada, that application had been made to the Dominion Government for a "share" of the radio performing royalties from all broadcasting stations in the country, now collected to the authorized limit of 8 cents per set on a quota basis from the studios by the Canadian Performing Right Society.

The Canadian BMI is entitled to at least one cent per receiving set for the use of its music by Canadian networks and stations and this should be deducted from the amount received by the society because BMI does not want an increase in the annual license fee for music users, including radio stations, theatres, hotels, and orchestras, according to Sedgwick. The rate of 8 cents per set was fixed for the Canadian Performing Right Society following an inquiry into the copyright control situation by Judge Parker in Toronto in 1935.

On the other hand, the Society contends that it is entitled to the whole license fee to be collected from broadcasters and that the rate should be raised to 14 cents per set for its own use, without regard to BMI. The Society claims that it represents 50,000 composers and that it controls more than 2,000,000 musical works, on which BMI has no say or jurisdiction.

The whole problem has been placed before the Copyright Appeal Board in the form of applications by BMI and the Performing Rights Society and will be dealt with when the Board meets Feb. 12.

Bergman in 'Dr. Jekyll'

HOLLYWOOD, Jan. 7.—Ingrid Bergman will play opposite Spencer Tracy in M-G-M's "Dr. Jekyll and Mr. Hyde." The story was made by M-G-M several years ago.

Ben Cohn to Produce

HOLLYWOOD, Jan. 7.—Ben Cohn, formerly with Warners in New York, has formed Ben Cohn Productions to make three pictures, for which he is seeking a major release. He said Eastern capital is financing.

BBC Workers Killed In German Bombings

Several members of the British Broadcasting Co. staff in England were killed and a number injured in recent German bombings, according to dispatches from London yesterday on the basis of information just released. The BBC headquarters have been seriously damaged. That Fred Bate, NBC London correspondent, was injured during a bombing Dec. 8 had previously been made known.

Kirby Radio Expert In War Department

WASHINGTON, Jan. 7.—The War Department announced today that President Roosevelt has approved the appointment of Edward M. Kirby, director of public relations for the National Association of Broadcasters, as a "dollar a year" expert in radio broadcasting.

Kirby will serve in the public relations branch of the office of the Deputy Chief of Staff. He has been given leave of absence with pay by the N.A.B. for such time as he may be required by the Government.

Meanwhile, the Defense Commissions Board tonight made public the results of organization meetings of its committees yesterday.

Neville Miller, president of the N.A.B., was elected chairman of the Domestic Broadcasting Committee, with Andrew D. Ring, Assistant Chief Engineer of the Federal Communications Commission in charge of broadcasting, as secretary.

Walter Evans of Westinghouse Electric and Manufacturing Co. was elected chairman of the International Broadcasting Committee, with Philip F. Siling of the FCC Defense Division, as secretary.

104 Sponsors Make WOR Record in Nov.

November sponsors set a record on WOR with 71 national accounts and 33 local sponsors, it was reported yesterday. The 104 total for the month was 30 per cent higher than the same month in 1939, it was said.

Seven of the sponsors were for confections and soft drinks; six, drugs and toilet goods; five, wines and beers; and three, soaps and household goods.

At the same time, WOR announced the signing of its largest contract for one-minute announcements. Lever Bros. will sponsor three announcements daily, five days a week for 48 weeks.

To Probe Foreign Shows

ROCHESTER, N. Y., Jan. 7.—An investigation of foreign language broadcasts was voted today by the American Legion County Committee after it had turned down a resolution condemning them. Those in opposition declared it would imperil the right of free speech, which the Legion is pledged to defend.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 6 NEW YORK, U. S. A., THURSDAY, JANUARY 9, 1941 TEN CENTS

Broadcasters Seek Trust Suit Peace

Want to Be Dropped from Impending Action

WASHINGTON, Jan. 8.—A delegation of broadcasters headed by Neville Miller, president of the National Association of Broadcasters, met today with Thurman W. Arnold, assistant U. S. Attorney General, and other members of the Department of Justice to discuss revision of BMI operations which would result in the elimination of BMI and the networks from the Government's impending prosecutions in the music "war."

It was explained that the broadcasters are exploring the situation developed by the Government's announcement that BMI, NBC and CBS would be included in the action for criminal indictments in Milwaukee, with a view to determining the position they are to take.

The conference was lengthy. No

(*Continued on page 7*)

Roach Sues M-G-M On Breach of Pacts

Hal Roach Studios, Inc., filed suit yesterday in the U. S. District Court against Loew's, Inc., and M-G-M Distributing Corp. for $1,263,993, arising from a dispute between the parties over certain distribution matters under the five basic distribution contracts operative between them from 1927-'28 through 1939-'40. Roach has been releasing his pictures for the past two years through United Artists. The 30-page complaint listed a number of alleged breaches of contract. The law firm of Schwartz and Frohlich represents Roach.

Goldwyn Heading Greek Relief Unit

Samuel Goldwyn has been appointed national chairman of the motion picture producers' division of the Greek War Relief campaign, it was announced yesterday by Harold S. Vanderbilt, honorary national chairman of the relief association. This is entirely separate from the recent appointment of Adolph Zukor, Paramount board chairman, as chairman of the amusements division of the campaign.

New 5-Year Hays Pact Reported Set

A five-year extension of Will Hays's contract as president of the Motion Picture Producers & Distributors Association has been set, it was reported yesterday in authoritative trade circles, and effective execution of the agreement awaits only the formal assent of members of the organization. Hays's present contract would have expired otherwise in March.

Parade to Start Drive for 'Dimes'

Circuit representatives at a meeting in the office of Oscar A. Doob of Loew's yesterday approved plans for a parade on Broadway next Wednesday as the opening gun in the film industry's "March of Dimes" drive for the National Foundation for Infantile Paralysis.

At the meeting, at which Doob, publicity chairman, presided, it was decided to muster several hundred ushers to march, with bands, floats and others in the procession.

The parade will start in Columbus Circle, go down Seventh Ave. to 30th St., invade the garment section at the noon hour and wind up

(*Continued on page 7*)

B & K Deal for Chicago Oriental Awaits U. S. Word

CHICAGO, Jan. 8.—Negotiations by B. & K. for a lease on the Oriental, large Loop house, are being held in abeyance pending study of the proposal by the Department of Justice, it was learned here today.

John Balaban, head of B. & K., and Robert Farrell, secretary and attorney for the building corporation which owns the theatre building, will go to Washington late this week to place the proposed deal before Assistant U. S. Attorney General Robert L. Wright. This will be done in accordance with the stand-still agreement entered into by affiliated circuits with the Government under the consent decree on the New York anti-trust suit.

U. S. Approval Needed

Under that agreement, the affiliated circuits agreed not to undertake expansion moves without the approval of the Department of Justice. Accordingly, it is expected that the B. & K. lease negotiations for the Oriental will not be consummated without the approval of the Department.

The theatre, formerly operated by B. & K., is under lease to Jones, Linick & Schaefer, independent operators at $3,000 per week. According

(*Continued on page 7*)

RCA to Demonstrate Theatre Television and Relay System

By EDWARD GREIF

RCA will demonstrate three important new television developments Jan. 24 when members of the FCC visit New York to inspect the latest developments in the field. CBS yesterday disclosed that it is ready to demonstrate a live talent pickup on the color television system its engineers developed.

Though RCA is guarding full details, it was learned that its demonstration will include a theatre-size screen, a new model home receiver with an 18-inch screen, and the first public demonstration of the relay system with a pickup from Camp Upton, L. I., about 100 miles from the Empire State Building transmitter.

The FCC will make its inspection tour prior to hearing the report of the National Television Systems Committee on Jan. 27.

The relay system, which was developed by RCA to make possible a television network, has been in existence several years for experimental

(*Continued on page 8*)

Wanger Reelected Academy President

HOLLYWOOD, Jan. 8.—Walter Wanger was reelected president of the Academy of Motion Picture Arts and Sciences last night by acclamation of the board of governors.

Other officers chosen were: Edward Arnold, Frank Capra, Darryl F. Zanuck and Jane Murfin, vice-presidents; Mervyn LeRoy, secretary; Alan Scott, assistant secretary; Major Nathan Levinson, treasurer; Henry Fonda, assistant treasurer.

See Tax Total Next Year at $74,200,000

President's Budget Cites Current $68,900,000

WASHINGTON, Jan. 8.—Collections from the Federal admission tax during the fiscal year which begins July 1 next, with no change in the present rate of exemption, will total $74,200,000, compared with $68,900,000 expected to be collected during the current fiscal year and $21,887,916 actually obtained during the fiscal year ended June 30, last, it was disclosed today by President Roosevelt in his annual budget message.

[Box-office collections of Federal admission taxes during the fiscal year ended last June 30, totaled $19,389,056, compared with $17,096,416 in the preceding year, it was disclosed tonight in the annual report of the Internal Revenue Bureau. This was the final year of the 40-cent tax exemption. The exemption is now 20 cents.]

The appropriation for the Federal Communications Commission is to be increased $283,389 to $4,259,729. Actually, by reason of the elimination of a $175,000 fund available this year for relocating monitoring stations,

(*Continued on page 7*)

Spanish Industry Facing Obstacles

WASHINGTON, Jan. 8.—With high taxation and widespread Government restrictions the Spanish film industry is struggling against serious obstacles, according to a survey made by the Department of Commerce.

American companies have substantial sums frozen in Spain, which are held there under orders of the National Foreign Exchange Institute. Import permits for films must be obtained from that body and the Motion Picture Regulating Sub-Commission, created in October, 1939, by the Ministry of Industry and Commerce.

Under wide powers, the Censorship Committees under the jurisdiction of

(*Continued on page 7*)

Reviewed Today

Reviews of "Playgirl" and "Larceny Street" will be found on Page 3.

Coast Flashes

Hollywood, Jan. 8

THE Frank Capra Anniversary Tribute Committee, which will hold a dinner honoring the director-producer, today named Fred Beetson, A.M.P.P. vice-president, in charge of the subcommittee to select a date for the event. J. P. McGowan, executive secretary, heads a committee to obtain cooperation from Hollywood organizations. Membership of the committee includes Walter Wanger, chairman; Y. Frank Freeman, Donald Gledhill, Dore Schary, Ralph Block, Sheridan Gibney and Kenneth Thomson.

•

Walter Wanger Pictures, Inc., today filed suit for $25,717 against Nat Rogan, collector of internal revenue, charging that the company was assessed that amount illegally in income taxes during 1936. The complaint alleged that the tax was improperly assessed on revenue from "Private Worlds" and "The President Vanishes," but that the disputed revenue represented repayment by Wanger to Jay Paley of funds which were used to finance the production.

•

Twentieth Century-Fox today purchased film rights to O. Henry's short story, "Gift of the Magii," to be used for a feature which Jo Swerling will write and Robert Kane produce.

•

Instead of the previously announced "Mr. Coed," M-G-M will star William Powell and Myrna Loy in "Love Crazy," written by David Hertz and William Ludwig. Jack Conway will direct.

Personal Mention

W. A. SCULLY, Universal vice-president and general sales manager, and Joseph H. Seidelman, vice-president and foreign manager, will arrive from the Coast early next week. Nate J. Blumberg, president, is remaining at the studio for another month.

•

Herman Wobber, 20th Century-Fox director of distribution, will leave the Coast next Tuesday for New York.

•

Charles Stern, New York district manager for United Artists, has returned from a three-week stay in Florida, where he recuperated from a recent illness.

•

Norman Elson left for Chicago yesterday.

•

Max A. Cohen, John W. Hicks, Toby Gruen, Max Dreyfus and William Orr at Nick's Hunting Room in the Astor yesterday for lunch.

•

Everett Steinbuch, manager of Loew's State, Cleveland, will leave Sunday with Mrs. Steinbuch for an eight-week vacation at Ft. Lauderdale, Fla.

JOSEPH BERNHARD, general manager of Warner Theatres, is expected to leave the Coast on Saturday after studio conferences.

•

Leonard Picker, Columbia attorney, left last night for a Miami vacation.

•

Robert Sherwood, Elmer Rice, Martin Moskowitz and Arthur Gottlieb lunching yesterday at Lindy's (51st St.).

•

Monroe Greenthal, John D. Hertz, Jr., Leonard Goldenson, Sam Shain, George Weltner, Stanton Griffis, Barney Balaban, Paul Radin, Al Margolies, Morris Gest, Mary Brian, Madge Evans, Margo, Sidney Kingsley, John Golden, Mort Spring and William Melniker at Sardi's yesterday for lunch.

•

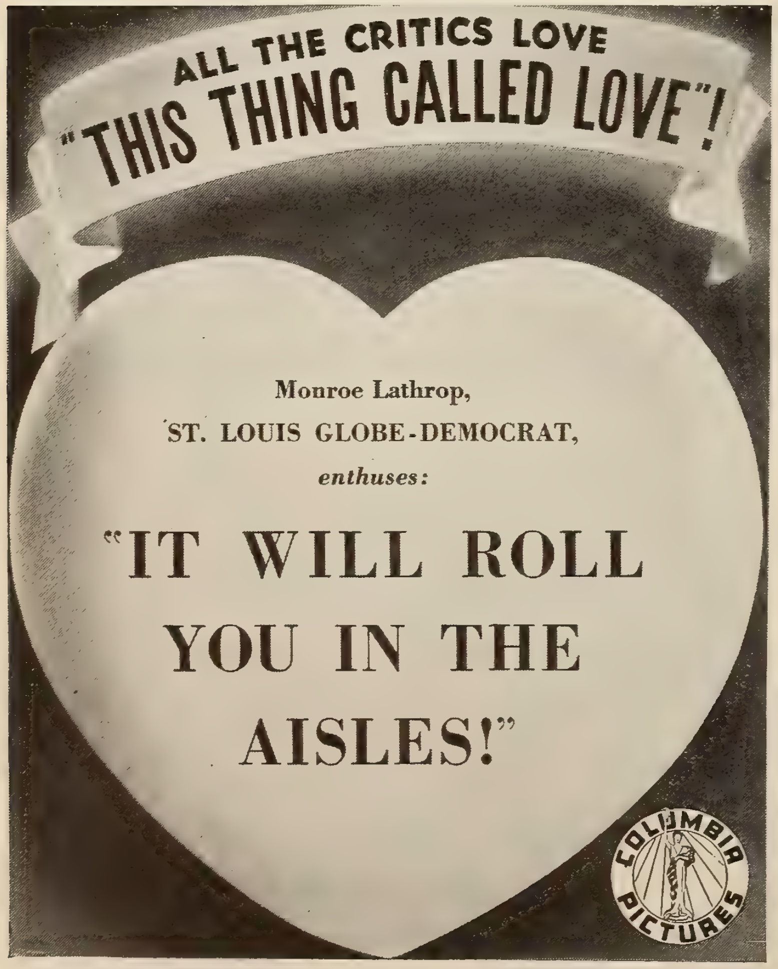
Seymour Poe, Lou Weinberg and Abe Montague having lunch at Lindy's (next to the Rivoli) yesterday.

•

Dave Robbins, Columbia home office projectionist, will leave tomorrow for a vacation in Florida.

Agnew Due Tomorrow

HOLLYWOOD, Jan. 8.—Neil Agnew, Paramount vice-president in charge of distribution, left here last night for New York, after product conferences. He is due at the home office on Friday.


ALL THE CRITICS LOVE
"THIS THING CALLED LOVE"!
Monroe Lathrop,
ST. LOUIS GLOBE-DEMOCRAT,
enthuses:
"IT WILL ROLL YOU IN THE AISLES!"
COLUMBIA PICTURES

Haight Resigns from AAA Budget Unit

P. M. Haight yesterday resigned as a member of the budget committee for the motion picture arbitration system under the consent decree, due to ill health. He will, however, continue as a member of the administrative committee of the American Arbitration Association.

Paul Felix Warburg was named to succeed Haight as a member of the budget committee. The other members are: Van Vechten Veeder, chairman of the arbitration appeals board, and Joseph H. Hazen of Warners, representing the distribution companies.

Levy Withdraws as Associates Candidate

David Levy has withdrawn as a candidate for the presidency of the Motion Pictures Associates, leaving only two candidates for that office, Nat Beier and Joseph J. Lee. Jack Hattem, nominated for vice-president, also has withdrawn, thus assuring James Frank of election. Elections will be held next Tuesday at the Hotel Lincoln.

Dozier New Story Head at Paramount

HOLLYWOOD, Jan. 8.—William Dozier will join Paramount as head of the story and writing departments on Feb. 3, resigning from the Berg-Allenberg agency, where he has been for the past five and a half years.

Julian Blaustein continues with the company as associate story editor.

Now 'Hamilton Woman!'

HOLLYWOOD, Jan. 8.—Alexander Korda has changed the title of the film, "Lady Hamilton," to "That Hamilton Woman!"

Ask Binoculars for Air Raid Watchers

M-G-M has received a request from its London office asking for donations of binoculars for use by unofficial raid watchers or spotters stationed on every building. Glasses are asked to be sent to the International Department of Metro at 1540 Broadway.

Lottery Bill In As Legislature Opens

ALBANY, Jan. 8.—A measure to legalize state operated lotteries was introduced today by Senator Phelps Phelps as the legislature convened. Sen. Phelps' intention to submit this bill was revealed by MOTION PICTURE DAILY last month. It must be passed by two successive legislatures and approved by referendum before becoming effective.

Legislators said bills designed to regulate outdoor advertising and to make directors of corporations liable for unpaid wages to employes will be introduced this week. The latter measure is reported to be backed by theatrical unions.

Gov. Herbert H. Lehman's message was restricted to defense but another message, dealing with domestic problems, will be delivered in the near future.

Heiber Named U.A. St. John Manager

ST. JOHN, N. B., Jan. 8.—George Heiber, former office manager at the United Artists exchange here, has been named manager, succeeding Charles S. Chaplin, named Montreal manager. No successor to Heiber has been appointed as yet.

Benny to Work for Para. and 20th-Fox

HOLLYWOOD, Jan. 8.—Jack Benny has signed starring contracts with Paramount and 20th Century-Fox, Paramount announced yesterday. The affiliation with 20th Century-Fox is new. He will make one picture yearly for each studio for four years and have a voice in their production.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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'Kitty Foyle' Does $29,000, Philadelphia

PHILADELPHIA, Jan. 8.—Downtown box-offices enjoyed strong grosses. "Kitty Foyle," having an unheralded world premiere at the Boyd, did a powerful $29,000, the same figure grossed by the Earle with "You'll Find Out" and Larry Clinton's band on the stage.

Estimated takings for the week ending Jan. 1-3:

"Thief of Bagdad" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,500. (Average, $9,000)

"Little Nellie Kelly" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 6 days, 3rd run. Gross: $2,400. (Average, $2,600)

"Kitty Foyle" (RKO)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $29,000. (Average, $13,000)

"You'll Find Out" (RKO)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Larry Clinton's orchestra, Borrah Minnevitch's Harmonica Rascals, Terry Allen, Jack Palmer, Jimmy Currie, Peggy Mann, Jack Seymour and Kay Picture. Gross: $29,000. (Average, $14,000)

"Dancing on a Dime" (Para.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Tirza Konja, Bert Walton, Romano Brothers, Potter and Ray, Robbins Brothers and Margie, and Eddie Lambert. Gross: $9,200. (Average, $6,900)

"Four Mothers" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $12,000. (Average, $13,000)

"No, No, Nanette" (RKO)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,100. (Average, $4,500)

"Go West" (M-G-M)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,950. (Average, $4,500)

"North West Mounted Police" (Para.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days 2nd week. Gross: $17,800. (Average, $14,000)

"Dr. Kildare's Crisis" (M-G-M)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,600. (Average, $4,500)

'Liberty' Proceeds To Benefit British

The first $50,000 derived from the release by M-G-M of "Land of Liberty," industry sponsored feature, will be given to the British air raid victims, it was announced by the M. P. P. D. A. yesterday. British relief groups throughout the United States are expected to assist in ticket sales and local premieres of the film. M-G-M is distributing the picture on a non-profit basis, with the net revenue going to war relief and welfare agencies.

Canning Company Takes Over House

Black's Harbor, N. B., Jan. 8.—The Strand here, theatre established by a fish company as a means of keeping employes and their families content in this little seaside town, has been taken over directly by the company for management as well as ownership. Originally, the 450-seat house was operated by Sprague Brothers, of St. Johns, N. B. The company is Connors Bros. Ltd., fish canners here.

Feature Reviews

"Playgirl"

(RKO)

"PLAYGIRL" is a light and humorous drama which offers Kay Francis as the principal of a two-party corporation whose function is, in effect, gold-digging. Mildred Coles is Miss Francis' partner and protege.

The story an adaptation by Jerry Cady of an original story, "Debutante, Inc.," has the pair in various centers of social activity "taking" gullible gentlemen about town until the inevitable occurs—Miss Coles falls in love. Nigel Bruce and George P. Huntley are the principal clients and James Ellison is a young cattleman loved by Miss Coles. An amusing maid characterization is offered by Margaret Hamilton. The film was produced by Cliff Reid. Frank Woodruff directed.

Running time, 77 minutes. "G."*

"Larceny Street"

(Film Alliance)

AN English production by Jack Buchanan, who also plays the leading role, this importation has its moments of suspense and action, but in general is rather uninspired screen fare.

Tim Whelan was responsible for the direction and also the adaptation of the original story. It concerns the effort of Buchanan, as an insurance investigator, to track down a group of "smash-and-run" thieves who have been preying on expensive jewelry stores in Paris, London and Dublin. In the latter city the greater part of the action takes place as Buchanan, with the aid of a woman assistant with whom, incidentally, he is in love, finds the receiver of the stolen jewels, and stumbles upon first one and then a second murder in the course of his investigation.

The cast is made up entirely of English players, all unknown in this country, with the possible exception of Buchanan.

Running time, 65 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

Ontario Opens New Projection School

TORONTO, Jan. 8.—The School for Moving Picture Operators has been opened by the Ontario Government for the training of apprentices by Government instructors in a 12-month course with daily classes for which a tuition fee of $100 is imposed. The inauguration of the new system was marked by protests from various labor unions on the ground that the Government action would flood an already crowded craft with licensed men, with the eventual possibility of a reduced wage scale.

With the opening of the first school, announcement was made from the Parliament Buildings that apprentice cards were being issued to accepted candidates who would be permitted to work in theatre booths during the year and that official licenses would be issued upon the successful completion of the course.

Delay La Crosse Suit

MADISON, Wis., Jan. 8.—Over the defendants' protest, Federal Judge Patrick T. Stone here has granted a further continuance to Feb. 17 in the $1,472,000 damage suit of the LaCrosse Theatre Co., LaCrosse, Wis., against Paramount, United Artists, 20th Century-Fox, Minnesota Amusement Co. and Welworth Theatres.

Henry Ottman Dies

NEW ORLEANS, Jan. 8.—Henry A. Ottman, 73, retired theatre executive, died here suddenly of a heart attack. He was personal manager of the late Henry Greenwald, and ran the old Grand Opera House for him and later the Music Hall. Two daughters and two sons survive.

New Orleans Sales Tax Affects Rentals

NEW ORLEANS, Jan. 8.—The recently established two per cent sales tax in this city is applicable to rentals of films to theatres here.

The tax, which was put into effect Jan. 1, is one cent on any purchase of 13 cents to 63 cents, two cents on purchases of 63 cents to $1.12 and so on in proportion to the sale. Admission prices are not affected, however.

Sekely Sets Own Release with U.A.

HOLLYWOOD, Jan. 8.—William Sekely has negotiated his own United Artists release for "New Wine" and will not use Alexander Korda's release arrangements as a result. Sekely will, however, use Korda's staff to produce the film, which will star Ilona Massey and be directed by Reinhold Schunzel.

Circuits Award Prizes

SAN FRANCISCO, Jan. 8.—Prize checks were presented to 104 employes of the Golden State and San Francisco Theatres circuits, who were awarded more than $2,500 in cash for their holiday efforts in selling scrip books. Awards were made at a breakfast rally by R. A. McNeil, Golden State general manager, and Roy Cooper, division manager for both circuits.

Present Film Music

The League of Composers will present a program of musical scores from documentary films at the Museum of Modern Art on Sunday evening.

'Thief' Tallies Good $12,500 Frisco's Best

SAN FRANCISCO, Jan. 8. — "The Thief of Bagdad" drew a good $12,500 at the United Artists. "No, No, Nanette" with Nancy Welford of the original stage cast on the stage took $16,500 at the Golden Gate. The weather was wet.

Estimated takings for the week ending Dec. 30-Jan. 3:

"Flight Command" (M-G-M)
"Gallant Sons" (M-G-M)
FOX—(5,000) (15c-35c-40c-50c) 5 days, 2nd week. Gross: $11,000. (Average, $16,000)

"Second Chorus" (Para.)
"Melody Ranch" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 5 days, 2nd week. Gross: $7,500. (Average, $11,500)

"Go West" (M-G-M)
"Christmas in July" (Para.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 5 days, 3rd week. Gross: $4,000. (Average, $6,000)

"Chad Hanna" (20th-Fox)
"Youth Will Be Served" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 4 days, 2nd week. Gross: $7,000. (Average, $12,000)

"No, No, Nanette" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Vaudeville. Gross: $16,500) (Average, $15,000)

"Thief of Bagdad" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $12,500. (Average, $8,000)

"Arizona" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,000. (Average, $8,000)

"Here Is Ireland" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $800. (Average, $1,000)

'Bagdad' Baltimore Winner with $12,500

BALTIMORE, Jan. 8.—"Thief of Bagdad" drew $12,500 at the Century. "Second Chorus" tallied $11,000 at Keith's.

Estimated takings for the week ending Jan. 2.

"Thief of Bagdad" (U.A.)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $12,500. (Average, $10,000)

"Second Chorus" (Para.)
KEITH'S — (2,406) (15c-28c-33c-44c) 7 days. Gross: $11,000. (Average, $9,000)

"Chad Hanna" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 10 days. Gross: $10,500. (Average, $7,000)

"Four Mothers" (W.B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 10 days. Gross: $14,000. (Average, $12,000)

"No, No, Nanette" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. On the stage, Dave Schooler with his Swinghearts Girl Orchestra presenting "Music Box Revue." Gross: $13,000. (Average, $14,000)

'Tropics,' Calloway Get $16,600, Omaha

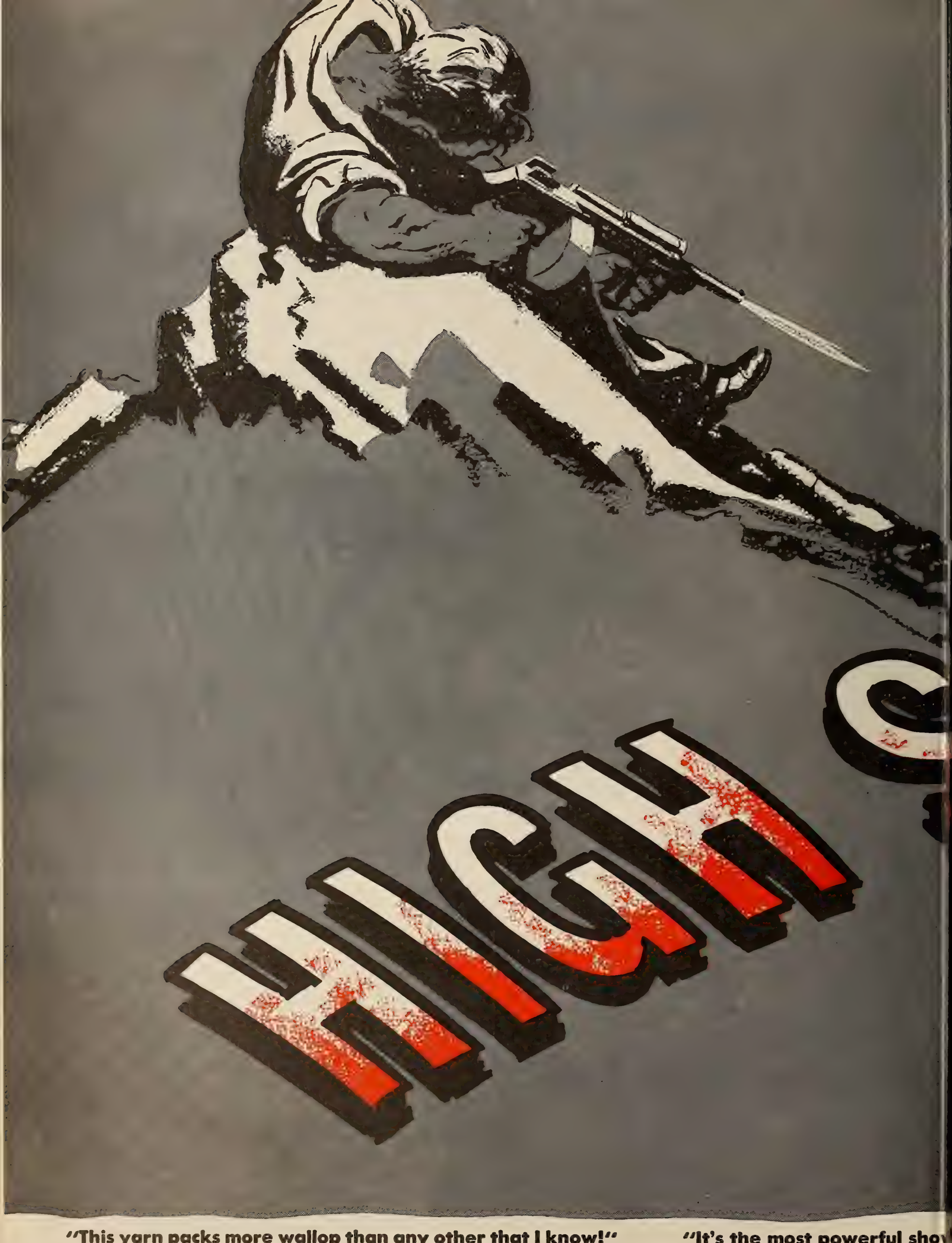
OMAHA, Jan. 8.—Boosted by New Year's Eve shows, first run grosses here were strong. "One Night in the Tropics," plus Cab Calloway on the stage, took $16,600 at the Orpheum.

Estimated takings for the week ending Jan. 1-2:

"No, No, Nanette" (RKO)
"Ellery Queen, Master Detective" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,100. (Average, $4,000)

"Flight Command" (M-G-M)
"Christmas in July" (Para.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $9,100. (Average, $6,000)

"One Night in the Tropics" (Univ.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Cab Calloway. Gross: $16,600. (Average, $7,200)



"This yarn packs more wallop than any other that I know!"

[illegible] No. 1 Story Teller, MARK HELLINGER

"It's the most powerful sho

Di

Warners' New Peak of Screen Excitement!

It's the Picture that Skyrockets them to Top Star Ranks!

IDA LUPINO

As Marie, the taxi dancer and killer's companion—deep down just another woman whose hungry heart yearned for one man.

HUMPHREY BOGART

As 'Mad Dog' Earle, enemy of all that is decent and good, defiant of every law on earth—except the High Sierras.

with Alan Curtis · Arthur Kennedy · Joan Leslie · Henry Hull · Henry Travers

Screen Play by John Huston and W. R. Burnett • **DIRECTED BY RAOUL WALSH** • From a Novel by W. R. Burnett.

ve directed since 'What Price Glory'!"

OUL WALSH

"My story to top 'Little Caesar' is HIGH SIERRA!"

Author **W. R. BURNETT**

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 13	Great Plane Robbery (D) *Jack Holt* *Vicki Lester*	Comrade X (C) 113 *Clark Gable* *Hedy Lamarr*		Texas Rangers Ride Again (O) *John Howard* *Ellen Drew*	Barnyard Follies (C) 008 *Mary Lee* *Rufe Davis*		Murder Over New York (D) 121 *Sidney Toler* *Ricardo Cortez*		Trail of the Vigilantes (D) *Franchot Tone* *B. Crawford*	
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*		Pride of the Bowery (D) Chamber of Horrors (D)		Behind the News (D) 009 Lone Star Raiders (O)	No, No, Nanette (M) 114) *Anna Neagle* *Zasu Pitts*	Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) 5025 *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows* *E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*	Kitty Foyle (D) 112 *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*		Convoy (D) 161 *Clive Brook* *John Clements*	Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*		Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) *H. Bogart* *Ida Lupino*
Jan. 31	Adam Had Four Sons (D) *Warner Baxter* *Ingrid Bergman*	Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*		You're the One (M) *Bonnie Baker* *Orrin Tucker*	.	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	
Feb. 14		The Bad Man (O) *Wallace Beery* *L. Barrymore*		The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	Petticoat Politics (C) Bad Man from Rio (O)	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Golden Hoofs (C) *Jane Withers* *Buddy Rogers*		Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	
Feb. 21	Return of Boston Blackie (D) Across the Sierras (O)			Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) *3 Mesquiteers*	Scattergood Baines (D) *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)			In Old Colorado (O) *William Boyd* *Russell Hayden*		Citizen Kane (D) 118 *Orson Welles*	Scotland Yard (D) *John Loder* *Nancy Kelly*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gu*	

PARAMOUNT SHORTS... THEY'RE THE ONES FOR 'FORTY-ONE!

December 27
Fascinating Journeys
(Technicolor)
'THE SACRED GANGES'

December 27
Paragraphic
'BREEZY LITTLE BEARS'

January 3
Grantland Rice Sportlight
'FEMININE FITNESS'

January 10
Popeye the Sailor
'PROBLEM PAPPY'

100% BOX OFFICE TESTED!

Paramount Pictures

See Tax Total Next Year at $74,200,000

(Continued from page 1)

the funds available to the commission for operating expenses will be increased by more than $450,000. The fund for the national defense activities of the commission is increased $320,000 to $1,920,000, and the remainder of the additional funds will be used largely for increased salaries and expenses.

Department of Justice Increase

Funds for the anti-trust division of the Department of Justice will reach a new high at $1,575,000, an increase of $254,000 over the current fiscal year and $266,000 more than was actually expended in the past fiscal year. Most of the increase is to be used for travel expenses and printing and stenographic work.

Anticipating the increase in the Fleet and naval bases, the Navy Department fund for the Motion Picture Service is to be increased from $85,000 to $125,000, but the fund for welfare of enlisted men in the Army, materially increased for the current year, will be reduced from $2,807,724 to $2,148,000. Of this, however, $500,000 is to be made available immediately for the construction and equipment of theatres, clubs and other buildings at the new cantonments.

Drive Against Evaders

The Internal Revenu Bureau report on the fiscal year ended last June 30 declared that the year was marked by a drive against evaders of the amusement tax, particularly on admissions sold in excess of the established price. A number of brokers and proprietors of places of amusement and cabarets were prosecuted for evading payment of taxes, it was stated. More recently, and not within the period covered by the report, the bureau has been proceeding against theatre operators who fail to account fully for the taxes they collect.

In addition to box-office revenues, admission tax collections during the fiscal year included $612,358 from free or reduced rate tickets, against $667,100 in the preceding year; $80,338 from leases of boxes or seats, against $68,926; $11,258 from admissions sold in excess of the established price, against $23,661; $171,956 from brokers' sales, against $172,495, and $1,622,949 from admissions to roof gardens and cabarets against $1,442,204. Total collections from all sources were $21,887,916, compared with $19,470,802 the year before.

Broadcasters Seek Trust Suit Peace

(Continued from page 1)

statement was made by any of those who participated.

Delay in launching the proceedings at Milwaukee, originally expected last Monday, is due to the desire of Department of Justice officials to give BMI and the networks an opportunity to present their views on their course in the music situation, which the Government charges is illegal.

Parade to Start Drive for 'Dimes'

(Continued from page 1)

in Times Square. There the ushers will form a cordon extending from 45th to 47th Sts., helping the police handle the crowds expected to gather to witness a "Dance of Dimes" to be staged on a platform in Duffy Square.

Several hundred girls, carrying the official "March of Dimes" collection boxes will solicit the crowds for contributions. City officials and other notables are expected to take part.

The temporary re-christening of Times Square is planned. Mayor LaGuardia will be asked to place a new street sign, re-naming it Dimes Square.

Eddie Dowden of Loew's publicity department was placed in charge of the parade plans.

Among those present who agreed to contribute ushers, bands and other cooperation, were: Leo Brecher, of the Brecher circuit, representing Manhattan independent exhibitors; Al Rosen, Fabian circuit; Janice Renschler, Skouras circuit; Louis Frisch, Randforce circuit; Peggy Mahoney and Robert Shapiro of Paramount Theatre; Mr. Goodman of the Century circuit; Fred Bright, Broadway Association; Martin Levine, Bernard Brandt and Lionel Toll, Brandt circuit; M. Jantzen, Consolidated circuit; Irving Windisch, Strand Theatre; Ben Serkowich, Capitol Theatre; Al Rosen, State Theatre, and Harry Mandell, RKO theatres.

Spanish Industry Facing Obstacles

(Continued from page 1)

the Ministry of Interior ban films deemed favorable to democratic institutions, according to reports to the Department of Commerce. Without definite information, Spanish trade circles believe approximately 300 films were approved by the censors, including short subjects, in 1940.

It is estimated that between 30 and 40 American films were imported during 1940, that 85 were imported from Germany and 42 from Italy. American films still are popular. About 25 features have been produced in Spain since the civil war. Madrid theatres estimate between 45 and 50 per cent of the admission charge g to the Government in taxes. Trade estimates place the number of houses in Spain at 3,800, virtually all wired for sound, but only about half regularly operating.

Honor Mainwaring At Farewell Party

Daniel Mainwaring of the Warner home office publicity staff, who leaves Saturday for Mexico City, was guest of honor at a surprise party held last night at Toots Shor's.

Among those attending were Mort Blumenstock, Mitchell Rawson, Paul Lazarus, Jr., Gilbert Golden, Sid Rechetnik, Larry Golob, Jerry Lewis. Len Spinrad, Bob William, Lee Blumberg, Walter Blake, Bert Gilden and Ed Schreiber.

'Lady in the Dark' Will Open Tonight

"Lady in the Dark," a musical play written by Moss Hart and starring Gertrude Lawrence, will be presented at the Alvin Theatre tonight by Sam H. Harris. The music is by Kurt Weill and the lyrics by Ira Gershwin.

MPPDA Sued Over Denial of Code Seal

LOS ANGELES, Jan. 8.—Criterion Pictures has filed suit in United States District Court here against the M.P.P.D.A., member companies, Will Hays, Joseph I. Breen and a number of John Does for $1,500,000 triple damages.

The suit charges the M.P.P.D.A. is a monopoly and alleges Criterion's picture, "Damaged Goods," produced in 1937, was deprived of first run showings due to the refusal of the Production Code Administration, headed by Breen, to issue a certificate of approval for the film. The complaint alleges the organization "has monopolized the market for the exhibition of pictures in first run metropolitan theatres throughout the United States."

'Quiz Kids' to Capital

The "Quiz Kids" of the radio, who are making a Paramount short subject at the Long Island studio, will visit Mrs. Franklin D. Roosevelt in the White House at Washington today.

Government Studies B&K Oriental Deal

(Continued from page 1)

to the building owners, the lease has been in default for some time past.

No Indication of Government Attitude

WASHINGTON, Jan. 8.—Proposed theatre acquisition by Balaban and Katz, in Chicago, is being studied by the Department of Justice, it was learned today. No indication was given, however, as to the attitude of the Department to the addition of the theatre to the circuit.

It was learned at the Department that several proposed acquisitions have been reported by theatre circuits since the signing of the consent decree. While it was said no acquisitions have been "approved," no information was forthcoming as to what action, if any, had been taken on them.

Under the decree, proposed additions to circuits are reported to the Department for such investigation as it may deem necessary. It was explained that no fixed rules have been adopted for dealing with such matters, but that each case is disposed of on its merits.

Canadian Veteran Dies

BERWICK, N. S., Jan. 8.—Charles H. Beardsley, 80, one of Canada's first exhibitors, and who founded the first local picture theatre, died here this week. He had previously shown pictures on the road in Nova Scotia about 29 years ago.

ALL THE CRITICS LOVE
"THIS THING CALLED LOVE"!
BOX OFFICE declares:
"Uproariously humorous! Topflight comedy! ...A crash and roar of laughs!"
COLUMBIA PICTURES

Noble Seeks To Enforce WMCA Deal

Declaring that he had placed the contract of sale for WMCA in the hands of his attorneys for enforcement, Edward J. Noble, head of Life Savers, Inc., yesterday asserted that he intended to compel Donald Flamm, the present licensee, to go through with the sale.

In Washington, yesterday, the FCC refused to revoke its order of Dec. 17, which authorized the transfer. The commission rebuked Flamm for his failure to advise the FCC promptly of his desire to withdraw his original application.

The FCC pointed out that there was nothing erroneous in its original order but added that the first order was permissive and not mandatory. "The matter is now one of private contractual arrangements between the parties," the FCC ruled.

"I am grateful to learn that the FCC has again found me a satisfactory licensee for WMCA," Noble said. He declared that he believed "we can constantly find ways to give greater satisfaction and entertainment to the station's listeners and can at the same time give an improved service to the sound and reputable businesses of this city."

Flamm refused to comment. He filed his petition for permission to transfer the station early last month and permission was granted. The contract was set for closing on Dec. 31 but Flamm filed a petition asking revocation of the order.

Yesterday's FCC action was not unexpected as the FCC had indicated previously that approval of the transfer does not compel the owner to consummate the sale beyond that which is contained in the private contract between the parties.

FCC Approves CBS New York FM Station

WASHINGTON, Jan. 8.—Columbia Broadcasting System today was granted a construction permit by the Federal Communications Commission for a new FM station in New York City, to operate on a frequency of 48,700 kilocycles. The station is to cover 8,500 square miles with a population of 12,000,000.

FCC Post May Go To Ex-Congressman

Washington, Jan. 8.—Former Representative William J. Miller of Connecticut, legless World War veteran who served one term in Congress, is reported a strong possibility for the nomination to the vacancy on the Federal Communications Commission, open since Thad H. Brown's term expired last June. Miller has been endorsed by Jesse Jones, Secretary of Commerce.

Off the Antenna

SCATTERED educational programs will be assembled and built into a single five-day-a-week feature on Mutual, it was decided yesterday at the end of a two-day meeting here of program managers representing 11 Mutual affiliates. The meeting represented the first time that a network had invited program managers of affiliated stations to meet for a discussion of network program policies.

With various stations in the Mutual network feeding University programs, it is planned to realign the shows to provide that each of them shall be heard at the same time but on different days of the week. Thus it will be possible to promote the series as a whole. Many other suggestions were discussed, it was said, but no definite decision will be made on any of them until the board of directors meeting on Jan. 23.

• • •

Purely Personal: *Leon Goldstein, WMCA publicity director, was tendered a birthday party by the news staff at the station's studios yesterday. Sidney Flamm, vice-president, and Charles Stark, sales manager, presented a gift. . . . Bill Stern, NBC sports announcer, has been signed by Warners to play in "Listen America." . . . James Monks has been added to the cast of "Charlie and Jessie." . . . Returning on the* Santa Rosa *today after a 12-day cruise to Bermuda are H. L. Petty, manager of WHN, and W. B. Dolph, manager of WOL, Washington. Both were accompanied on the trip by their wives.*

• • •

RKO zone manager Nat Holt of Cleveland has hit upon his own test poll in the Ascap-BMI fight. When Kay Kyser comes to the Palace, Cleveland, on Jan. 24, Holt will list BMI and Ascap tunes and the patrons will select their favorites. Ascap has given its permission and Holt expects it from BMI.

• • •

Fred Bate, NBC London representative, was injured twice by German bombs, according to versions in Tuesday's newspapers. Actually, Bate was injured Dec. 8, and NBC here released the story at the time. The British Broadcasting Co., censor, however, withheld the original story until Tuesday. The result was that most papers here assumed that Bate had been hit again. Talking over a cue channel with A. A. Schechter, NBC news head, the London office cleared the misunderstanding and said Bate was still in good shape.

Ask Writ on Radio Set Device Patent

WILMINGTON, Jan. 8.—A declaratory judgment that it is not infringing the reissue Harold A. Wheeler patent for an automatic volume control device on radio receivers has been asked in a suit filed in the U. S. District Court here by Colonial Radio Corp. of New York against Hazeltine Corp. of Delaware.

The plaintiff also alleges that the reissue Wheeler patent has already been declared null and void in another U. S. District Court and that the defendant is harassing it with suits and infringement charges. The invention of the Wheeler patent was generally known at least two years before its original issue, the plaintiff alleges, and the reissue was invalid on several grounds, including lack of invention and faulty form.

RCA to Demonstrate Theatre Television

(*Continued from page 1*)

purposes, but its exhibition on Jan. 24 will mark its first public unveiling. The program will be picked up at Camp Upton by the mobile unit and relayed 20 miles to the first pickup point at Hapaugh, L. I. From there the relay system will send it 40 miles to Bellmore, L. I., where it will be picked up and relayed again the final 40 miles to the Empire State. From there, it will be telecast and picked up on the new 18-inch receivers which will be grouped in a room in the RCA Building. In the evening of the same day, a special program will be put on in the New Yorker Theatre for reception on the theatre size screen.

Ascap Disclaims Responsibility for Networks' Action on Inaugural Music

Ascap yesterday disclaimed all responsibility for whatever action radio networks may take to keep Ascap music from the air in the broadcasts of the Presidential inauguration ceremonies on Jan. 20. Network officials pointed out that they had received no notification of permission to use Ascap music.

Fred Weber, Mutual general manager, declared that his network would not boycott Ascap music. Weber asserted that if Ascap gave Mutual an indemnification against copyright infringement claims and asked nothing in return, Mutual would broadcast such Ascap music as was incidental to the ceremonies. CBS and NBC refused all comment.

It was indicated, however, that Ascap is seeking air credit in return for its permission to use its music. It was reported, the networks may be willing to give such air credit if Ascap's demands for it are modest.

Gene Buck, Ascap president, stated that the society is making "all of its music available without restriction and without charge for broadcasts of the inaugural ceremonies, the inaugural ball and any other parts of the inaugural celebration."

Ten Agencies Placed 65.1% Of NBC Gross

Ten leading advertising agencies placed 65.1 per cent of the $50,663,000 gross billings over the two NBC networks during 1940, a breakdown revealed yesterday. The six leading agencies occupied the six top spots again while Newell-Emmett moved from 13th place to seventh, Benton & Bowles moved from 11th to ninth, and Ruthrauff & Ryan from 14th to 10th.

Blackett - Sample - Hummert again led the parade with gross billings of $9,564,419, a rise of 10.3 per cent over last year and more than double that of Compton which was second with $4,392,855, an increase of 43 per cent. Compton was third last year.

A total of 83 agencies placed business with NBC during the year as compared with only 66 during 1939. A total of $142,704 was placed direct. The billings represent gross card rates in effect for each advertiser with no deductions for agency commissions, time or volume discounts, and no provision for talent costs.

J. Walter Thompson, which was second last year, moved to third position with $2,972,116, a decrease of 37.2 per cent Lord & Thomas retained fourth position with $2,454,059, up two per cent. Young & Rubicam retained fifth, with $2,134,921, down seven per cent. Pedlar & Ryan retained sixth place with $1,950,503, down 3.5 per cent. Newell-Emmett increased its business for NBC by 85.9 per cent for a total of $1,936,810. Russell M. Seeds Co. dropped one notch to eighth with $1,920,143, up 43.7 per cent. Benton & Bowles was up 45.8 per cent with $1,749,591, and Ruthrauff & Ryan was in 10th place with $1,604,674, an increase of 56.6 per cent.

Chicago CBS Station Signs with Ascap

CHICAGO, Jan. 8.—WIND, a CBS affiliate, today signed with Ascap, it was announced by Ralph Atlass, president. Atlass is a brother of H. Leslie Atlass, CBS vice-president.

WIND has encountered difficulty on arranging its foreign-language programs without Ascap music, Atlass declared. However, nearly all music to be played on English language programs over the station will be BMI.

Recently, WIND submitted a report to the FCC stating that it was their belief that foreign-language programs are vital to an Americanization program and were faced with the possibility of discontinuing these programs unless an agreement with Ascap were signed.

WCFL, an affiliate of NBC, owned by the Chicago Federation of Labor, is the only other large Chicago station to have signed with Ascap.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in
(3_CO
Impartial

M. P. PRODUCERS &
DISTRIBUTORS OF AM., INC
28 WEST 44TH ST.,
NEW YORK,
N. Y.

OL. 49. NO. 7 NEW YORK, U.S.A., FRIDAY, JANUARY 10, 1941 TEN CENTS

Tax Revenue Gained in 43 States in 1940

Increase in New York Is Highest, $465,000

WASHINGTON, Jan. 9.—Box-office collections of admissions taxes increased in 43 of the 48 states in the fiscal year which ended June 30, 1940, as compared with the preceding year, it is shown by an analysis of returns in the annual report of the Internal Revenue Bureau.

Decreases were reported only in California, Delaware, Georgia, Hawaii, Kansas and Wyoming, the greatest loss being $68,000 in Georgia. The largest increases recorded were $465,000 in New York, $291,000 in Minnesota and $220,000 in Illinois.

4 States Top $1,000,000

New York, naturally, produced the greatest revenue, $6,867,549, but California, Illinois and Pennsylvania all topped $1,000,000. The lowest return was from North Dakota, $7,454, but only one other state turned in less than $10,000—South Dakota with $9,444. Seven states — Idaho, Mississippi, Montana, Nevada, New Mexico, Vermont and Wyoming—returned between $10,000 and $20,000, but 25 states and the District of Columbia produced more than $100,000 each, nine of them

(Continued on page 4)

Independents to Get Own Currency Pact

LONDON, Jan. 9.—A separate remittance agreement will be provided by the Board of Trade and Treasury for British distributors of independent American product, incorporating all of the provisions of the agreement closed recently with the eight American major companies.

The independents will be permitted to remit about one-third less than they did last year and will be subject to all of the other restrictions and provisions of the agreement with the major companies.

Under the recently closed agreement the major companies agree to maintain film supplies here at normal proportions and to refrain from taking advantage of the situation existing here in order to raise film rentals above existing levels. It was disclosed also that the American companies are permitted under the agreement to use their blocked sterling to make payments anywhere in the Empire except Canada.

Phila. Stations Advertise Their Side of Music 'War'

By SAM SHAIN

PHILADELPHIA, Jan. 9.—The broadcasters have turned to newspaper advertising to present their side of the case in their fight with Ascap. Taking the issue directly to the public, local stations signed a large four-column display advertisement which appeared today in Philadelphia papers.

Headed "Good Music Fills the Air," the ads say their purpose is to clarify the confusion that exists, and the broadcasters ask the public to consider the following:

1. In 1940 the broadcasters paid Ascap more than $4,500,000 in royalties.
2. Ascap's total royalties from all other sources was about $1,500,000 during 1940.
3. Ascap now demands more than $9,000,000 from the broadcasters alone for 1941.
4. Ascap wants the broadcasters to pay for an entire catalogue of 2,000,000 number even though radio uses only about 40,000 of them.

Worst of all, say the ads, Ascap demands a music royalty on new programs, baseball games, speeches, interviews and the like; in fact on every program whether or not a single note is broadcast.

Declaring that Ascap's new demands are much too high, the broadcasters tell the public they are going elsewhere for their music, building their own catalogue of numbers for their listeners.

The ads were inserted by WDAS and WHAT for the broadcasters of Philadelphia. Other stations listed are KYW, WCAU, WFIL, WIP and WPEN.

CBS Claims Basic Color Television Problems Solved

By EDWARD GREIF

The first public demonstration of direct pickup color television here was given at the CBS studios yesterday for several hundred members of the Institute of Radio Engineers, which is in convention, and for the press. Some of those present said the test was successful.

The demonstration was scheduled, in part, to answer critics who had attacked Dr. Peter C. Goldmark's invention as unworkable. Goldmark asserted that "an answer has been found to every fundamental problem."

Two new developments regarded as important were demonstrated. The first was a method of synchronization by the impulses ordinarily transmitted to permit transmitter and receiver to operate from different power supplies, eliminating the necessity of 60 cycle power. The second was a method of phasing the color disk by pushing a button on the receiver. When colors appear properly on the receiver, the button is released and the colors remain synchronized with those of the transmitter.

A compact table model receiver was used in the test, a set much smaller than the standard black-and-white receiver. Using only 343-line definition, the telecast obtained good results with as little as 110 foot candles of light.

Full Schedules Are Planned for 10 Biggest Money Making Stars

Hollywood, Jan. 9.—The studios are planning full schedules for the 10 Biggest Money Making Stars of 1940, as determined in the recent *Motion Picture Herald-Fame* poll of exhibitors. Mickey Rooney, champion, will appear with Spencer Tracy, in second place, in "Men of Boys Town." Rooney also is set for "Andy Hardy's Private Secretary" and "Babes in Arms." Tracy will appear in "Dr. Jekyll and Mr. Hyde" and "The Yearling."

Clark Gable, third, has no new assignment as yet. Gene Autry, fourth, is scheduled to start on a new Western before the end of the month. Tyrone Power, in fifth place, is due for "Blood and Sand," followed by "The Black Swan." James Cagney and Bette Davis, sixth and ninth, respectively, are working on "The Bride Came C.O.D.," with Cagney set next for "Dive Bomber," and Miss Davis tentatively assigned to "Danger Signal." Bing Crosby has finished "Road to Zanzibar," and plans "Birth of the Blues." Wallace Beery, in eighth position, has finished "The Bad Man." Judy Garland, tenth in the poll, will appear in "The Youngest Profession," and with Rooney in "Babes on Broadway."

Sell Industry To the Public, Balaban Says

Must Offset Unfavorable Reaction, Ampa Told

By SHERWIN A. KANE

Barney Balaban

Motion picture advertising and publicity men may be called upon to assist in selling the industry as an institution to offset an unfavorable public impression and consequent loss of prestige for the industry which has followed upon the filing of the Government anti-trust suits and the public airing of other internal industry problems, Barney Balaban, Paramount president, said yesterday.

Addressing the Ampa luncheon meeting at the Hotel Edison, Balaban said: "This loss of prestige and public confidence is a serious matter for an industry which is so dependent on the good opinion of the public it serves. Up to now, the public has heard only one side of the story. With many exhibitors blaming block booking for every picture a patron did not care for and for every other criticism, a poison was spread that will take time and effort to eradicate."

He suggested that the advertising and publicity men also should address themselves to winning the patronage of the 20 to 30 millions of non-theatregoers in this country—the most practical field for the recovery of lost foreign revenue, and to the promotion of better understanding

(Continued on page 4)

U. A. Names Chicago, Milwaukee Managers

Ben Eisenberg, formerly United Artists salesman in Chicago, has been appointed branch manager there to succeed Irving Schlank, who recently was made district manager for Chicago, Milwaukee and Minneapolis. Jack Armgardt, also of the Chicago exchange, has been appointed Milwaukee branch head, succeeding J. S. Abrose, now district manager for Omaha, Denver and Salt Lake City. The appointments were announced yesterday by Arthur W. Kelly, vice-president in charge of domestic distribution.

Para. Sales Meeting On Decree Jan. 22

Effects of the Federal consent decree on Paramount's distribution and advertising policies will be discussed in Chicago Jan. 22 at a meeting of home office executives and district managers, to be held a day before the Barney Balaban testimonial banquet there.

Disney's Cartoons Lead Exhibitor Poll

The Walt Disney cartoons were selected by the exhibitors of the country as the champions among the "10 best money-making short series," in the *Motion Picture Herald-Fame* 1940 poll.

Following the Disney subjects in the first 10, in the order of their ranking, were: March of Time, Crime Doesn't Pay series, Pete Smith Specialties, Merrie Melodies, Three Stooges, Popeye the Sailor, Information Please, Our Gang and Passing Parade.

The Disney subjects won by a wide margin. The same 10 series were named in the first group in the individual votes of independent and circuit exhibitors.

Among the serials, Universal's "The Green Hornet" ranked first, followed closely by Republic's "The Adventures of Red Ryder."

Set Lamour Vehicle

HOLLYWOOD, Jan. 9.—Paramount will star Dorothy Lamour in "Dildo Cay," from the Nelson Hayes novel. E. H. Griffith will produce the film.

Personal Mention

JOHN W. HICKS, Paramount vice-president and foreign manager, and ARTHUR PRATCHETT, Central American manager, will leave this weekend on a month's trip to Mexico and Central America.

•

JOSEPH H. SEIDELMAN, Universal foreign head, is due Monday from the studio.

•

ROBERT GILLHAM, Paramount advertising and publicity director, will return early next week from the Coast after a Kansas City stop.

•

SI FABIAN, ARTHUR MAYER, TOBY GRUEN, NAT KARSON, FREDERIC LONSDALE, JOHN GOLDEN, MORRIS GEST, HARRY OSHRIN, JACK KIRKLAND, RUSSEL CROUSE, LEE SHUBERT and BEN BOYAR lunching at Sardi's yesterday.

•

CARYL DANNENBERG, secretary to ERNEST EMERLING at Loew's, will be married Jan. 18 to HERBERT L. ANDERSON.

•

MRS. GEORGE PAL, wife of the shorts producer, became the mother of a son in Los Angeles last Sunday.

ROY HAINES, Warners Eastern sales manager, left yesterday for Boston and New Haven. He is due back Monday.

•

LOU POLLOCK, Universal Eastern advertising and publicity manager, will arrive from the Coast today.

•

JAMES MULVEY, JOSEPH MOSKOWITZ, HAL HORNE, HAL YOUNG and ARTHUR GOTTLIEB having lunch at Lindy's (51st St.) yesterday.

•

MARVIN SCHENCK, EUGENE PICKER, MAURICE SILVERSTONE and RUBE JACKTER having lunch at Lindy's (next to the Rivoli) yesterday.

•

JACK ADELMAN will be married Sunday evening to ISABEL KERSCHNER.

•

JACK BOWEN, SAM HARRIS, LOU DREYFUS, TED O'SHEA and MAX A. COHEN at Nick's Hunting Room in the Astor yesterday for lunch.

•

ELIAS LAPINIERE, formerly Continental European publicity director for M-G-M in Paris, has opened an art-ad service here.

Ask Award Confirmation

Local 306 yesterday asked the N. Y. Supreme Court to confirm an arbitration award of $8,646 in its favor against the Adenos Amusement Corp., Emmons Theatre Corp., and Maurice Brown, manager of the Sheldon in Brooklyn, and also directing the defendants to reinstate operators at the Sheldon under an I.T.O.A. blanket contract.

ALL THE CRITICS LOVE
"THIS THING CALLED LOVE"!
Robert Miller, UNITED PRESS, says:
"RACY . . . HILARIOUS . . . LEFT THE PREVIEW AUDIENCE BREATHLESS FROM LAUGHING!"
COLUMBIA PICTURES

'Lady in the Dark' To Open Thursday

"Lady in the Dark" will close its week in Boston tomorrow evening and open at the Alvin here next Thursday. A gross of between $25,000 and $30,000 is expected for the week in Boston, it was said. Paramount, which has a large financial investment in the play, has invited New York drama critics to see the play in Boston because it was felt that they might miss the third act because of the early deadline. Through an error, MOTION PICTURE DAILY reported the play as opening yesterday.

N. J. Unit Meets Monday

The South Jersey unit of New Jersey Allied will meet Monday at the Walt Whitman Hotel, Camden, with Sam Frank, chairman, presiding. Annual elections of officers of the parent organization, scheduled for Jan. 21 in Trenton, will be discussed. Lee Newbury is president of New Jersey Allied.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Newsreel Parade

DEFENSE measures in Englan[d] are depicted in the new issue[s] along with general news here. The contents:

MOVIETONE NEWS, No. 36—England: luncheon for Greek relief; scrap iron accumulated; guns set for invasion; tank maneuvers; troops in training and sea patrol drills. Marines here in training. Florida girls use rubber fins. Golf tournament in Los Angeles. Boston boys in boxing matches.

NEWS OF THE DAY, No. 234—Defense in England. Coast Guard rescue here. Troops for the Arctic trained here. Anne Morgan arrives. Tennis at Madison Square Garden. Boston bouts. Credit contract with Argentina signed in Washington.

PARAMOUNT NEWS, No. 39—Tennis matches at Madison Square Garden. R.A.F. in Libya battle. Planes escort convoys to England ports. American volunteers in England. Roosevelt addresses Congress.

RKO PATHE NEWS, No. 39—Tennis at the Garden. Planes guard British convoys. Bomber lands in Texas pond. U. S. and Argentina in pact. London children in subway shelter during air raid. Golf in Los Angeles. Ice boat races in Wisconsin.

UNIVERSAL NEWSREEL, No. 944—England prepares for invasion. War refugees in England. Argentina and U. S. in credit pact. New machine gun tested. Greeks bless Atlantic waters. Reducing establishment in New York. Canine life saver at Miami. Co-eds don military hats. Tennis in New York. Toboggan races in Oregon. Gold in Los Angeles.

Monogram Meets in St. Louis Tomorrow

St. Louis, Jan. 9.—Monogram franchise holders will meet here Saturday and Sunday to complete plans for the "March of Monogram" drive, Feb. 22 to April 11. About 50 franchise holders and home office officials are expected to attend the conference at the Hotel Jefferson.

Among them will be W. Ray Johnston, President, and Samuel Broidy, general sales manager. Several thousand dollars will be awarded to the winning teams in the sales drive.

Illinois Exhibitors Meeting Postponed

Springfield, Ill., Jan. 9.—The convention of the United Theatre Owners of Illinois, scheduled for this city tomorrow, has been indefinitely postponed. No new date has been set as yet.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Detroit Lead To 'Neighbor' With $23,000

DETROIT, Jan. 9.—Capacity business New Year's Eve and New Year's Day swelled grosses. The Michigan garnered $23,000 with "Love Thy Neighbor" and "Kit Carson." The Fox reported $27,000 with "You'll Find Out" and a stage show headed by "Truth and Consequence," and "Hudson's Bay" playing two days.

Estimated takings for the week ending Jan. 2:

"The Thief of Bagdad" (U. A.)
"Sandy Gets Her Man" (M-G-M)

ADAMS—(1,600) 7 days and midnight Eve show (15c-39c-44c-55c) (85c Eve show). Gross: $8,000. (Average, $5,500)

"The Westerner" (U. A.)
"Little Nellie Kelly" (M-G-M)

FISHER—(2,700) (15c-39c-44c-55c) (75c midnight Eve) 7 days. Gross: $8,000. (Average, $7,000)

"You'll Find Out" (RKO) (5 days)
"Hudson's Bay" (20th-Fox) (2 days)
"The Lone Wolf Keeps a Date" (Col.) (2 days)

FOX—(5,000) (20c-55c-65c) ($1.10-$1.65 "Eve" show). Stage show (7 days): "Truth and Consequence." Gross: $27,000. (Average, $15,000)

"Love Thy Neighbor" (Para.) (5 days)
"Kit Carson" (U. A.) (5 days)
"Second Chorus" (Para.) (2 days)

MICHIGAN—(4,000) (15c-39c-44c-55c-65c) ($1.10-$1.65 Eve show). Gross: $23,000. (Average, $12,000)

"The Letter" (W. B.) (5 days)
"Cherokee Strip" (Para.) (5 days)
"Love Thy Neighbor" (Para.) (2 days)
"Texas Rangers Ride Again" (Para.) (2 days)

PALMS—(3,000) (25c-39c-44c-55c) ($1.10-$1.65 Eve show). Gross: $11,000. (Average, $7,000)

"Comrade X" (M-G-M) (5 days)
"Long Voyage Home" (U. A.) (5 days)
"Flight Command" (M-G-M) (2 days)
"Keeping Company" (M-G-M) (2 days)

UNITED ARTISTS—(2,200) (20c-39c-44c-55c) ($1.10-$1.65 Eve show). Gross: $12,000. (Average, $10,000)

'Gallant' and Show $14,500, Cincinnati

CINCINNATI, Jan. 9. — "Gallant Sons" and a stage show drew $14,500 at the RKO Shubert. "Santa Fe Trail" drew a strong $12,500 at the RKO Palace.

Estimated takings for the week ending Dec. 31-Jan. 4:

"No, No, Nanette" (RKO)

RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $12,000)

"Santa Fe Trail" (W. B.)

RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $12,500. (Average, $10,000)

"Gallant Sons" (M-G-M)

RKO SHUBERT—(2,150) (44c-60c) 7 days. Stage: Vaudeville headed by Tommy Riggs and "Betty Lou." Gross: $14,500. (Average, $10,000)

"Gone With the Wind" (M-G-M)

RKO CAPITOL—(2,000) (50c-55c-60c) 7 days. Gross: $11,500. (Average, at 33c-40c-50c, $5,500)

"Chad Hanna" (20th-Fox)

RKO GRAND—(1,450) (33c-40c-50c) 7 days, 2nd week. Gross: $3,300.

"Here Comes the Navy" (W. B.)

RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $2,800. (Average, $4,500)

"Devil Bat" (Pro. Rel. Corp.)
"Boss of Bullion City" (Univ.)

RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,000. (Average, $1,200)

"The Lone Wolf Keeps a Date" (Col.)
"Glamour For Sale" (Col.)

RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

"Dr. Kildare's Crisis" (M-G-M)

KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4,700. (Average, $5,000)

Guild Purchases Play

The Theatre Guild has purchased "Hope for a Harvest," play by Sophia Treadwell. The play is expected to be presented in the Spring.

'Hanna' at $12,500 High in Milwaukee

MILWAUKEE' Jan. 9. — "Chad Hanna" and "The Great Profile" with "Flight Command" on New Year's Eve, drew $12,500 at the Wisconsin in a week of strong business.

Estimated takings for the week ending Dec. 31-Jan. 3:

"Second Chorus" (Para.)
"Texas Rangers Ride Again" (Para.)
"Arizona" (Col.) (New Year's Eve)

PALACE—(2,400) (30c-40c-55c) 5 days, 2nd week. Gross: $7,300. (Average, $4,000)

"Arise My Love" (Para.)
"Cherokee Strip" (Para.)
"Hudson's Bay" (20th-Fox) (New Year's Eve)

STRAND—(1,400) (30c-40c-55c) 5 days, 2nd week. Gross: $3,100. (Average, $1,500)

"Chad Hanna" (20th-Fox)
"Great Profile" (20th-Fox)
"Flight Command" (M-G-M) (New Year's Eve)

WISCONSIN — (3,200) (30c-40c-55c) 5 days, 2nd week. Gross: $12,500. (Average, $5,500)

"Sandy Gets Her Man" (Univ.)

RIVERSIDE—(2,700) (33c-44c) 7 days. Stage: Shambles of 1941. Gross: $14,600. (Average, $6,500)

"The Thief of Bagdad" (U. A.)
"Hit Parade of 1941" (Rep.)
"Sante Fe Trail" (F. N.)
"South of Suez" (W. B.)

WARNER—(2,400) (30c-40c-55c) 4-3 days, split week. Gross: $11,700. (Average, $4,000)

'Bagdad' Garners $13,900 in Buffalo

BUFFALO, Jan. 9.—"The Thief of Bagdad" and "Youth Will Be Served" were good for $13,900 at the Great Lakes. "Sante Fe Trail" and "Michael Shayne, Private Detective" were strong at the Buffalo with $14,800.

Estimated takings for the week ending Dec. 31:

"Santa Fe Trail" (W. B.)
"Michael Shayne, Private Detective" (20th-Fox)

BUFFALO—((3,489) (35c-55c) 7 days. Gross: $14,800. (Average, $12,000)

"The Thief of Bagdad" (U. A.)
"Youth Will Be Served" (20th-Fox)

GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $13,900. (Average, $7,500)

"Flownig Gold" (W. B.)
"Friendly Neighbors" (Rep.)

HIPPODROME—(2,100) (30c-50c) 7 days. Gross: $4,100. (Average, $6,800)

"Too Many Girls" (RKO)

TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. A. B. Marcus Continental Revue on stage, with Sofia Alvarez, Hin Low, Sparky Kaye, Flagg & Arnold, the McGowan Duos, Lee Royce, Roberta Jonay, Ruth Durrell, Leon Miller, George Schreck, Janada, Bob White and the Marcus Girls. Gross: $8,000. (Average at 30c-40c, $7,500)

"The Bank Dick" (Univ.)
"Give Us Wings" (Univ)

LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $5,400. (Average, $6,300)

'Santa Fe' Scores $18,000, Pittsburgh

PITTSBURGH, Jan. 9. — "Santa Fe Trail" at the Stanley with $18,000 led here.

Estimated takings for the week ending Dec. 24:

"Blackout" (U. A.)

FULTON—(1,700) (28c-44c) 7 days. Gross: $2,600. (Average, $5,000)

"The Long Voyage Home" (U.A.)

LOEW'S PENN—(3,400) (28c-39c-55c) 5 days. Gross: $5,000. (Average, 7 days, $13,000)

"Little Nellie Kelly" (M-G-M)

RITZ—(800) (28c-39c-55c) 5 days, 2nd week. Gross: $2,000. (Average, 7 days, $4,000)

"Tin Pan Alley" (20th-Fox)

SENATOR—(1,800) (28c-39c-55c) 7 days, 4th week. Gross: $3,400. (Average, $4,500)

"Santa Fe Trail" (W. B.)

STANLEY—(3,600) (28c-39c-55c) 7 days. Gross: $18,000. (Average, $13,000)

"North West Mounted Police" (Para.)

WARNER—(2,000) (28c-39c-55c) 5 days, 4th week. Gross: $3,800. (Average, 7 days, $5,000)

Karloff Opens Here In Comedy Tonight

"Arsenic and Old Lace," comedy by Joseph Kesselring starring Boris Karloff, opens at the Fulton Theatre tonight, presented by Howard Lindsay and Russel Crouse.

'Mounted Police' at $6,500 in St. Louis

ST. LOUIS, Jan. 9.—New Year's Eve business helped bolster the week's grosses. "North West Mounted Police" and "Tin Pan Alley" took $6,500 at the Missouri.

Estimated takings for the week ending Jan. 2:

"Arise My Love" (Para.)
"A Night at Earl Carroll's" (Para.)

AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $10,000. (Average, $11,500)

"Chad Hanna" (20th-Fox)

FOX—(5,038) (30c-40c-50c) 7 days. Will Osborne and his band on stage. Gross: $11,000. (Average, $11,000)

"Comrade X" (M-G-M)
"Gallant Sons" (M-G-M)

LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $14,500. (Average, $13,000)

"North West Mounted Police" (Para.)
"Tin Pan Alley" (20th-Fox)

MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $6,500. (Average, $4,000)

"San Francisco Docks" (Univ.)
"Dark Streets of Cairo" (Univ.)

ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $3,000. (Average, $3,000)

'Bagdad' Grosses $11,500 in Toronto

TORONTO, Jan. 9.—"The Thief of Bagdad" at the Uptown scored $11,500 for its second week. "Tin Pan Alley" registered $11,000 at the Imperial for four days which included the New Year's Eve midnight performance.

Estimated takings for the week ending Jan. 4:

"Tin Pan Alley" (20th-Fox)

IMPERIAL—(3,373) (15c-25c-35c-50c-65c) 4 days & New Year's Eve. Gross: $11,000. (Average, $9,000).

"Comrade X" (M-G-M)

LOEW'S—(2,074) (15c-25c-35c-50c-65c) 5 days & New Year's Eve. Gross: $11,000. (Average, $9,000).

"You'll Find Out" (RKO)
"Mexican Spitfire Out West" (RKO)

SHEA'S—(2,663) (15c-25c-40c-50c) 4 days. Gross: $7,100. (Average, $7,500).

"Moon Over Burma" (Para.)
"Too Many Girls" (RKO)

TIVOLI—(1,434) (15c-25c-40c) 4 days & New Year's Eve. Gross: $3,350. (Average, $3,900).

"The Thief of Bagdad" (U.A.)

UPTOWN—(2,761) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $11,500. (Average $9,000).

'Comrade X' Pulls $17,000, Cleveland

CLEVELAND, Jan. 9.—Aided by teh New Year's Eve show, "Comrade X" rolled up $17,000 at Loew's State, and "The Bank Dick," with the "International Revue" on the RKO Palace stage, took $18,000.

Estimated takings for the week ending Jan. 2:

"Here Comes the Navy" (W.B.)

ALLEN—(3,000) (33c-39c-47c) 7 days. Gross: $3,500. (Average, $4,000)

"Santa Fe Trail" (W.B.)

WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $11,000 (Average, $11,000)

"The Bank Dick" (Univ.)

RKO PALACE—(3,100) (33c-47c-55c) Stage show, 7 days. Gross: $18,000. (Average, $13,500)

"Comrade X" (M-G-M)

LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $17,000. (Average, $11,000)

"Love Thy Neighbor" (Para.)

LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days. 2nd week. Gross: $5,000. (Average, $4,000)

'Arizona' Is Big in Seattle, Pulls $6,900

SEATTLE, Jan. 9.—"Arizona" in its second week at the Liberty and "Comrade X" in the second stanza at the Paramount were the best grossers of the week, the former taking $6,900 and the latter $6,700. The weather was mild.

Estimated takings for the week ending Jan. 3:

"The Long Voyage Home" (U. A.)
"Dancing on a Dime" (Para.)

BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days. Gross: $4,200. (Average, $4,000)

"The Thief of Bagdad" (U. A.)

FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)

"Arizona" (Col.)

LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,900. (Average, $5,000)

"Little Nellie Kelly" (M-G-M)
"Gallant Sons" (M-G-M)

MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. Gross: $4,500. (Average, $4,000)

"Four Mothers" (W. B.)
"A Night at Earl Carroll's" (Para.)

ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,800. (Average, $6,000)

"Dreaming Out Loud" (RKO)

PALOMAR—(2,500) (20c-30c-40c-50c) 7 days. "Holiday Time Revue" on stage. Gross: $5,400. (Average, $5,000)

"Comrade X" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)

PARAMOUNT—(3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $6,700. (Average, $6,000)

'Suez,' Gene Krupa Minneapolis' Best

MINNEAPOLIS, Jan. 9.—"South of Suez," with Gene Krupa's band heading the stage show, led the healthy holiday trade here with $17,000 at the Orpheum.

Estimated takings for the week ending Jan. 2:

"South of Suez" (W. B.)

ORPHEUM—(2,800) (28c-39c-44c), 7 days. Gene Krupa stage show. Gross: $17,000. (Average, $5,500)

'Love Thy Neighbor" (Para.)

STATE—(2,300) (28c-39c-44c) 7 days. Gross: $9,800. (Average, $6,000)

"The Thief of Bagdad" (U. A.)

WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $3,500. (Average, $1,600)

"Little Nellie Kelly" (M-G-M)

GOPHER—(998) (28c) 7 days. Gross: $3,000. (Average, $2,500)

"The Letter" (W. B.)

CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

"Dreaming Out Loud' (RKO)
"Give Us Wings" (Univ.)

ASTER—(900) (15c-28c) 6 days. Gross: $2,000. (Average, $1,800)

'Neighbor' at $9,500 Leads Indianapolis

INDIANAPOLIS, Jan. 9.—Business rebounded from a pre-Christmas slump with good grosses. "Love Thy Neighbor" and "Meet the Wildcat" did $9,500 at the Circle. The weather was warm and wet.

Estimated takings for the week ending Dec. 31-Jan. 3:

"Love Thy Neighbor" (Para.)
"Meet the Wildcat" (Univ.)

CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $9,500. (Average, $6,000)

"Chad Hanna" (20th-Fox)
"A Night at Earl Carroll's" (Para.)

INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $8,000. (Average, $5,500)

"Arizona" (Col.)
"Girls Under 21" (Col.)

LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $9,000. (Average, $7,000)

"Behind the News" (Rep.)

LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: New Year's Revue, with Nick Lucas. Gross: $10,000. (Average, $8,000)

Drugs Replace Food for Top NBC Revenue

Drugs and toilet goods supplied 33.4 per cent of all NBC business last year with gross billings of $16,932,687, an increase of 34 per cent, replacing food and food beverages as the major classification. The latter totaled $11,281,407, an increase of 22.3 per cent.

Procter & Gamble, which became top NBC client in 1935, continued to set the pace with $8,759,452; Sterling Products remained second with $5,001,680; General Mills, third, $2,495,735; while Liggett & Myers Tobacco jumped from 13th place to fourth with $1,932,386. Other major shifts in client standings were R. J. Reynolds, which moved from 39th to 13th; Colgate-Palmolive-Peet, 44th to 15th; Philip Morris, 22nd to 18th, and S. C. Johnson & Son, 23rd to 20th.

The average expenditure for the 98 commercial clients was $508,708, an increase of $42,306 over 1939, while 27 political clients paid a total of $809,606. Expenditures for evening programs were $31,989,821; daytime programs, including Sunday mornings, $17,978,435; Sunday afternoon programs brought $694,744.

In third place among industry classifications were laundry soaps and household supplies with $7,277,001; cigars, cigarettes and tobacco were fourth, $7,233,866; lubricants, petroleum products and fuel, fifth, $2,198,011; house furnishing and furniture, sixth, $1,034,842.

Wander and B-S-H Lead MBS Billing

Wander Co. was the leading advertiser over Mutual during 1940 and Blackett-Sample-Hummert was the top agency for the station.

Wander spent $526,026; Bayuk Cigars, $510,949; Gospel Broadcasting Association, $402,232; General Cigar, $343,681; Macfadden Publications, $199,094; Richfield Oil, $197,388; General Baking, $184,221; American Safety Razor, $158,857; Lutheran Layment's League, $127,466; Wheeling Steel, $123,556.

B-S-H placed $584,766 in business; Ivey & Ellington, $510,949; R. H. Alber, $421,421; Erwin, Wasey, $270,831; J. Walter Thompson, $266,977; Federal, $237,564; Sherman K. Ellis, $221,672; Batten, Barton, Durstine & Osborne, $184,221; Ruthrauff & Ryan, $169,520; Kelly, Stuhlman & Zahrndt, $127,466.

Gould Is Reelected Head of Publicists

Joseph Gould of United Artists was reelected president unanimously of the Screen Publicists Guild at a meeting at the Piccadilly Hotel last night Other new officers: first vice-president, Joseph Chasin, Warners; second vice-president, Jonas Rosenfield, Walt Disney; secretary, Jefferson Livingston, M-G-M; treasurer, Charles Wright, freelance.

1940 Tax Gain in 43 States

(Continued from page 1)

bettering the half-million dollar mark.

Collections by states for 1940, as compared with the preceding year, are shown in the following table:

	1940	1939
Alabama ....$	72,368.99	$ 62,130.35
Alaska	26,026.37	23,940.22
Arizona	23,554.65	16,428.40
Arkansas	41,751.53	26,979.68
California	1,990,657.89	2,025,017.54
Colorado	85,405.53	85,233.74
Connecticut	259,872.38	192,895.37
Delaware	45,346.37	50,855.92
Dist. of Col......	266,525.06	226,087.56
Florida	358,472.78	259,782.70
Georgia	116,447.03	184,496.73
Hawaii	60,531.12	61,508.08
Idaho	13,913.43	12,722.21
Illinois	1,624,373.35	1,404,080.79
Indiana	291,845.34	148,364.75
Iowa	137,038.50	77,955.37
Kansas	46,358.40	49,242.99
Kentucky	104,126.26	69,474.37
Louisiana	153,468.69	100,031.93
Maine	43,296.62	27,533.78
Maryland	276,993.85	264,247.46
Massachusetts	934,740.47	848,718.87
Michigan	576,998.40	539,026.18
Minnesota	425,575.18	134 900.64
Mississippi	14,733.14	9,021.07
Missouri	368,550.24	336,899.27
Montana	18,645.82	13,252.80
Nebraska	77,136.22	49,188.03
Nevada	11,937.74	9,203.04
New Hampshire..	51,822.15	24,148.43
New Jersey	506,433.45	492,224.21
New Mexico	14,958.70	13,187.21
New York	6 867,548.65	6,402,255.70
North Carolina...	111,185.49	80,922.81
North Dakota ...	7,453.95	4,958.17
Ohio	689,258.95	545,857.20
Oklahoma	81,979.54	72,135.90
Oregon	79,365.93	54,826.03
Pennsylvania	1,027,515.43	933,574.82
Rhode Island	151,119.71	116,585.73
South Carolina ..	63,750.43	42,201.22
South Dakota ...	9,443.57	8,717.75
Tennessee	138,698.25	100,452.51
Texas	528,817.78	479,258.92
Utah	33,342.24	17,220.81
Vermont	10,072.92	6,482.88
Virginia	129,127.39	103,839.73
Washington	139,933.27	113,683.87
West Virginia....	56,626.48	26,590.83
Wisconsin	207,536.78	130,092.76
Wyoming	16,373.75	17,978.30
Total	**$19,389,056.16**	**$17,096,415.63**

Sell Industry to Public: Balaban

(Continued from page 1)

among the various branches of the industry, more important now than ever because of untried operating methods to be imposed by the consent decree.

"Although I was against changing the old method of selling," Balaban said, "I speak for Paramount when I tell you that our company will put forth every effort to make this new method work. In spite of everything the sales departments can do, there will, undoubtedly, be many squawks as the new method of selling becomes operative. There will be discontent and misunderstanding, and you men can do a great deal toward minimizing this situation."

Balaban said he believes that control of industry advertising from New York "will be somewhat decentralized" under decree operations.

Balaban was introduced by C. C. Pettijohn, general counsel of the M.P.P.D.A. Others on the dais were: Stanton Griffis, chairman of the Paramount executive committee, and Jean Hersholt, who made brief talks; Leon Bamberger, Ampa president; John W. Hicks, Walter Cokell, Adolph Zukor, Austin Keough, Arthur Israel and Osa Massen.

Arbitration Boards Being Completed

Preliminary work on the establishment of the industry's 31 local arbitration boards will be completed today by J. Noble Braden, executive secretary of the American Arbitration Association, who will return Sunday from the South.

Braden has visited all the exchange cities where boards are to be established, with the exception of a few on the Eastern seaboard which are being organized by A.A.A. headquarters. The preliminary work has consisted of selecting offices for the local boards, the selection of a large list of persons eligible to serve on the panels, and interviewing clerks and other prospective employes.

Extend Nathanson Securities Option

Montreal, Jan. 9.—Famous Players Canadian Corp., Ltd., has announced that the stock option granted to N. L. Nathanson, president, on April 15, 1936, again has been extended.

The option covers the right to purchase 11,000 shares of the company's stock at $16 per share during July, 1940. The option, which previously was extended to Jan. 31, 1941, has now been extended so that it may be exercised in full or in part at any time up to and including April 30,

Holdovers on Broadway Set Strong Pace

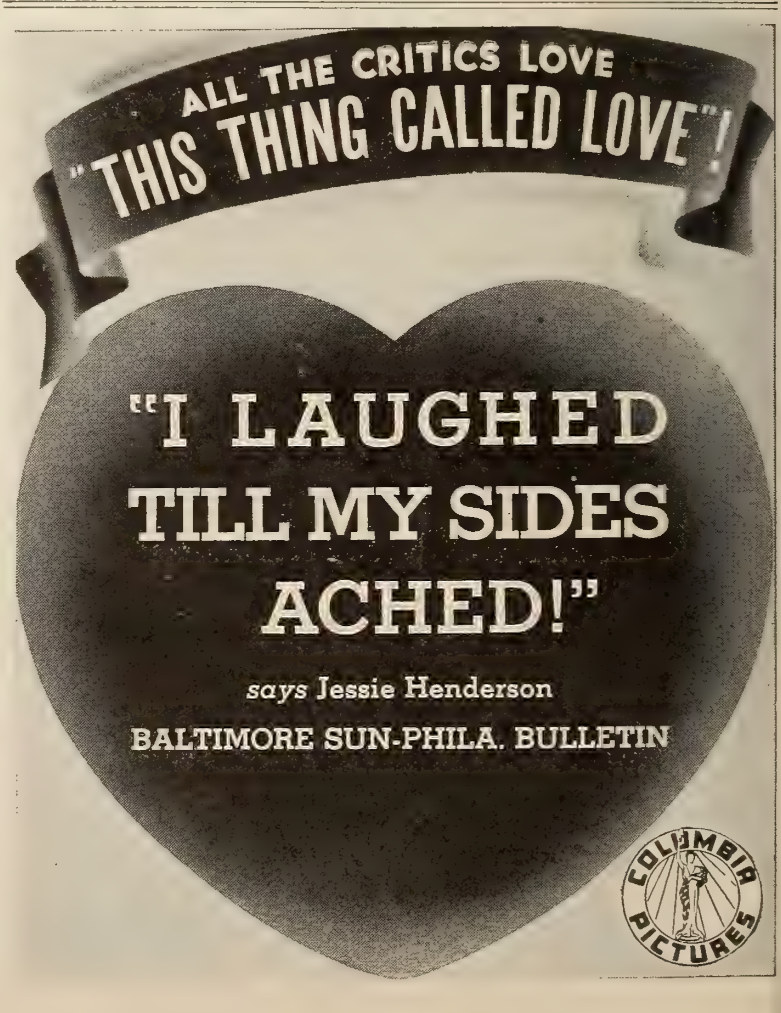
With holdovers predominating, Broadway grosses are maintaining a strong pace, led by the Musi Hall, Paramount and Capitol.

"The Philadelphia Story" with a stage show at the Music Hall drew an estimated $111,000 in the second week. "Love Thy Neighbor" and Tommy Dorsey's orchestra on the Paramount stage was strong with $55,000 in the third week, while the Capitol in the second week of "Comrade X" brought an estimated $43,000. All three films are being held.

At the Roxy, "Chad Hanna" with a stage show grossed an estimated $46,000 in the last eight days. "Hudson's Bay" started there yesterday. "Santa Fe Trial," with Abe Lyman's orchestra on the stage, completed the third and final week at the Strand yesterday with about $29,000. "Four Mothers" opens there today, with Sammy Kaye's band on the stage. "Lone Wolf Keeps a Date" finished a week at the Rialto on Tuesday with an estimated $6,500.

N. Y. Bill Provides Tax on Admissions

Albany, Jan. 9.—A three per cent sales tax bill, introduced in the New York State legislature by Senator William Bewley, calls for a half-cent tax on each 10 cents or fraction thereof of theatre admissions exceeding 50 cents. Passes also would be taxed.


ALL THE CRITICS LOVE
"THIS THING CALLED LOVE"!
"I LAUGHED TILL MY SIDES ACHED!"
says Jessie Henderson
BALTIMORE SUN-PHILA. BULLETIN
COLUMBIA PICTURES

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

OL. 49. NO. 8 NEW YORK, U. S. A., MONDAY, JANUARY 13, 1941 TEN CENTS

Loew's Profit For Year Is $8,908,469

Estimate for New First Quarter $3,000,000

Net profit after all charges of $8,908,469 was reported by Loew's, Inc., and subsidiaries on Saturday for the fiscal year ended Aug. 31, 1940. The result is after provision of $2,000,000 as a special reserve for contingencies, and compares with net profit of $9,841,530 for the preceding fiscal year.

[Motion Picture Daily *last Nov. 6 estimated Loew's earnings for the* 1939-'40 *fiscal year at approximately* $8,850,000, *after all charges and provision for the* $2,000,000 *reserve*]

Loew's earnings for the first quarter of the current fiscal year are estimated at approximately $3,000,000.

The company's annual report lists operating revenues of $137,590,120, of which $133,375,150 was theatre receipts, film rentals and sales of films and accessories. Operating and general expenses amounted to $110,344,728; depreciation, taxes and rent,

(*Continued on page* 4)

Wolff Elected Head Of N. Y. Film Board

Robert S. Wolff, RKO branch manager, on Friday was elected president of the New York Film Board of Trade, at a meeting at the headquarters of the organization. He succeeds Jack J. Bowen, recently promoted to Eastern district manager for M-G-M.

The other new officers are: Joseph J. Lee, 20th Century-Fox, first vice-president; Ben Abner, M-G-M, second vice-president; David A. Levy, Universal, treasurer; Robert J. Fannon, Republic, secretary, and Edward Bell, Paramount, sergeant-at-arms. The installations will be held in about 10 days.

Five Reviews Today

"Six Lessons from Madame La Zonga," "The Case of the Black Parrot," "You're Out of Luck" are reviewed on Page 4. Reviews of "Robin Hood of the Pecos" and "Billy the Kid's Gun Justice" are on Page 6. Critics' Quotes of new films will be found on Page 7.

Hearst Reported to Ask 'Kane' Shelved

Extraordinary interest has been stirred in the trade and elsewhere by reports that the William Randolph Hearst newspapers and magazines have been instructed by Hearst or his representatives to suppress all publicity on RKO's picture, "Citizen Kane," and to have asked the company to shelve the film, which cost in the neighborhood of $800,000 to produce.

This is Orson Welles' first picture. Company officials assert that while the story is about a wealthy man who inherits a newspaper and then builds a publishing empire, it is not Hearst's biography.

The Hearst people are reported to feel otherwise, according to various reports on the coast and in New York. The order to suppress publicity on the picture, it is further reported, has been extended to all RKO publicity.

Bomb Manchester Office of 20th-Fox

The 20th Century-Fox branch office in Manchester, England, has been destroyed in recent bombing attacks, according to word reaching the home office. The raid was made on the city at night, and no one was injured. E. G. Milloy is manager of the branch.

Judging of 1940 Quigley Awards To Be On Jan. 28

Judging for the 1940 Quigley Grand Awards, climax of the Quigley Awards competition sponsored by *Motion Picture Herald* through the Managers Round Table, will be held Jan. 28 in the College Room of the Hotel Astor, it is announced by A-Mike Vogel, chairman of the Round Table.

The committee will be made up of executives in distribution, advertising and exhibition who have served as judges during the year. Entries to be considered will be those of theatre managers and publicity men scoring highest in the four quarterly periods of the 1940 awards. Following the judging, Martin Quigley will be host to the committee at a luncheon.

The two winners chosen by majority vote for the Silver and Bronze Grand Awards will receive their awards in Hollywood at ceremonies attended by studio heads, directors and stars. As guests of *Motion Picture Herald,* the theatre men will be taken to Hollywood and entertained during a week's stay. Visits to the studios and other arrangements are planned.

The 1940 judging will mark the seventh annual meeting of the Quigley Awards committee. Entrants competed during the three-month awards periods of the year for the "Quarter-Master" Plaques, Medals and Sheepskin Citations.

Dr. Goldsmith Is Presented Radio Engineers' Medal for Achievements

Alfred Goldsmith

Dr. Alfred N. Goldsmith, noted radio and sound engineer and consultant, on Friday was presented the 1941 medal of honor for achievements by the Institute of Radio Engineers. The award was made at a dinner in the Hotel Pennsylvania as part of the annual convention.

Dr. Goldsmith was cited for "his contribution to radio research, engineering and commercial development, his leadership in standardization, and his unceasing devotion to the establishment and upbuilding of the institute and its proceedings." Frederick E. Terman, president of the I.R.E., made the presentation.

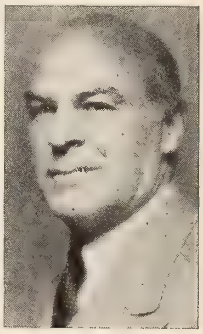
Dr. Goldsmith's latest television invention, a receiver said to be particularly important for theatres, was announced several months ago.

Dr. Goldsmith was a consulting engineer for General Electric, director of research for Marconi Wireless Telegraph Co., RCA Photophone vice-president, and vice-president and general engineer for RCA. He has a large number of inventions to his credit in radio, television and sound engineering.

20th-Fox Top Officials at Studio Meet

Prepare for U. S. Decree Operation Next Season

Hollywood, Jan. 12.—Leading home office and studio executives of 20th Century-Fox are meeting at the studios this week for a general discussion of problems arising out of the consent decree in distribution, production and advertising and exploitation, with plans in view for the 1941-'42 season.



S. R. Kent

Participating in the conferences are Joseph M. Schenck, board chairman; Sidney R. Kent, president; Darryl F. Zanuck, vice-president in charge of production; Herman Wobber, distribution chief; William Goetz, vice-president and executive assistant to Zanuck; Charles E. McCarthy, di-

(*Continued on page* 4)

Arbitration Setup Is Due This Month

Federal Judge Henry W. Goddard is scheduled to appoint the remaining two members of the national arbitration appeals board under the Federal consent decree before the end of this month, to serve with Van Vechten Veeder, appeals chairman.

The national arbitration machinery is expected to start functioning Feb. 3, after completion of the local board setups.

Selection of local arbitration panels of 20 to 60 members for the 31 exchange cities will be made by the American Arbitration Association administration committee from eligibles submitted by J. Noble Braden, A. A. A. executive secretary.

Braden yesterday completed field trips during which he compiled lists of candidates for clerks of the local boards and selected office space for the boards. The administrative committee is to appoint the clerks, and is expected to approve the leases in the next 10 days.

Barrows Reelected To Serve 24th Term

Boston, Jan. 12.—Thad C. Barrows has been reelected president of Local 182 of the projectionists' union here for the 24th consecutive term. Other new officers are: James F. Burke, business agent; A. R. Moulton, financial secretary; Joseph Rosen, treasurer; James O'Brien, sergeant-at-arms; Joseph Nuzzolo, John Diehl, Louis Pirovano, executive board members.

Greek Fund Rallies Amusement Groups

The amusement industries are being organized to support the fund raising drive for Greece. Under the direction of the drive's sponsors and Adolph Zukor, chairman of the Paramount board, who is chairman of the amusements' division, and Samuel Goldwyn, chairman of the producers' division, zone chairmen are being named and an advisory council is being organized to work with the general committee.

Spyros, Charles and George Skouras are among the sponsors of the drive, together with Winthrop Aldrich, Harold Vanderbilt and others.

Among the zone chaimen in the field soon to assume active participation will be John H. Harris, Pittsburgh; Arch Bowles, Pacific Coast; John Balaban, Midwest; M. A. Lightman, Memphis, and Robert J. O'Donnell, Texas. Gradwell L. Sears, president of Vitagraph and Warner Bros. general sales manager, is chief of the distribution division.

Silver, Canadian Distributor, Dies

Borris W. Silver, 49, head of Colonial Films of Toronto, died suddenly of a heart attack in Rockefeller Center last Thursday night. Funeral arrangements are awaiting the arrival here of a sister of the deceased, the only known living relative, who is believed to be employed at the M-G-M studio at Culver City.

Silver was formerly head of the Moscow Art Theatre, Los Angeles, and had been engaged in independent film distribution in Canada for the past several years. He distributed in Canada for Alliance Films, among others, and was in New York on a business visit to Budd Rogers, head of Alliance, who was with Silver when he was stricken.

O'Shea and Bowen To Pielow Dinner

E. K. O'Shea, M-G-M Central division manager, Jack Bowen, New York district manager, and Ben Abner, New Jersey branch manager, from the home office will attend the testimonial dinner in Albany this evening for Ralph Pielow, promoted to New York branch manager from the Albany exchange.

The dinner will be at the DeWitt Clinton Hotel. Clayton Eastman, Paramount Albany manager, heads the committee. Pielow has been succeeded by Herman Ripps.

Personal Mention

EDWIN L. WEISL left for Florida Friday.

•

N. L. Nathanson, president of Famous Players Canadian Corp., has gone to Florida for the rest of the Winter because of ill health. The circuit management is in the hands of J. J. Fitzgibbons, vice-president.

•

J. Cheever Cowdin, Universal board chairman, has returned to the Coast to resume production conferences at the studio.

•

Haskell M. Masters, United Artists Western sales manager, has left for a tour of the exchanges in his territory, his first visit since assuming his new post. He will be away about four weeks.

•

Joseph H. Seidelman, Universal vice-president and foreign manager, will arrive from the Coast this morning. W. A. Scully, vice-president and general sales manager, is scheduled to arrive tomorrow.

•

Richard Hyland left last night for Chicago.

•

Herb Gillis, 20 Century-Fox booker in Philadelphia, has become engaged to Rowie H. Siegel.

•

Gustave G. Amsterdam, son of Ben Amsterdam, veteran Philadelphia exhibitor, has been made a vice-president of Albert M. Greenfield Co., realtors.

•

Edith Flink, secretary to Col. Herbert Copeland, Warner circuit executive in Atlantic City, has become engaged to Dr. Jules Chapin.

•

George Everett Simons, operator of the Co-Ed Theatre, Fairfield, Ia., and Lois E. Wehde of Tipton, Ia., recently were married.

OSCAR DOOB, director of advertising and publicity for Loew's Theatres, and Ernest Emerling, assistant director, spent the weekend in Buffalo on a theatre checkup.

•

Louis Nizer will discuss motion picture law in a lecture at New York University on Thursday.

•

Jack Bloom, head of the 20th Century-Fox contract department, is vacationing in Miami.

•

John Hackney, 20th Century-Fox ad sales manager in Atlanta and reserve officer in the Army, has entered active military service. W. L. Rutland succeeds him in the ad sales post.

•

Sam Engel, associate producer for 20th Century-Fox, has returned to the Coast after a visit here.

•

Harry M. Bessey, secretary and treasurer of Altec, has returned from a trip through Ohio and West Virginia.

•

S. E. Applegate, M-G-M sales manager in Philadelphia, and Charles Segall, exhibitor, have left for a Florida vacation.

•

John Bodley, manager of Hunt's Gaiety, Trenton, N. J., is suffering from a severe eye injury.

•

William Keegan, general manager of Hunt Theatres, Trenton, N. J., and Mrs. Keegan, are on vacation in Miami.

•

Peggy Todd, a Rockette at Radio City Music Hall, and Frank McGuire, lighting technician at the theatre, have announced their engagement.

Loew Metropolitan Managers Shifted

Charles C. Moskowitz, in charge of Loew's Metropolitan theatres, has made several changes in management. Paul Murphy, assistant manager at Loew's State, has been named manager of Loew's Ziegfeld. Sig Schwartz, assistant at the 83rd Street, replaces Murphy at the State.

Kenneth Towers, chief of service at the Mayfair, has become assistant at the Apollo. Robert Spodlick, chief of service at the Sheridan, is now assistant at the Triboro. Nat Sliber, assistant at the Mt. Vernon, has moved to the 83rd Street, and Edwin Lucey, chief usher at the 83rd Street, is now assistant at the Mt. Vernon.

Joe Penner Dies In Phila.; Was 36

Philadelphia, Jan. 12.—Joe Penner, 36, died in his sleep here Friday. Death was attributed to a heart attack. He was appearing in "Yokel Boy" at the Locust Street Theatre. The show was scheduled to remain here another week before going to Chicago. He appeared in a number of films in the last six years. He was regarded as an outstanding comedian in films as well as in radio.

Veteran Operators Hold Dance Tonight

The "25-30 Club," an organization of projectionists who have been members of the operators' Local 306 more than 25 years, will hold its annual dinner-dance at midnight tonight at the Hurricane restaurant. About 200 projectionists are members. Mike Berkowitz, who is said to be the oldest active projectionist in the industry, is president. Berkowitz and his son, Milton, are employed at the Capitol.

Pettijohn to Chicago On Censor Hearings

Charles C. Pettijohn, general counsel of the M.P.P.D.A., left for Chicago yesterday to appear at City Council hearings there today on a proposed reorganization of the city censor board. He will confer first with Morris Leonard, B. & K. counsel, and Jack Kirsch, president of Illinois Allied.

Warners Sign Oakie

Hollywood, Jan. 12.—Jack Oakie has been signed by Warners to co-star with Eddie Albert in "Navy Blues," comedy with a U. S. Navy background.

Defense Unit Asks More Film Funds

Washington, Jan. 12.—Increased funds for motion picture and radio specialists will be asked of Congress by the National Defense Council for the coming fiscal year, but no plans have been made for any effort at film production on a large scale, it was disclosed today by council officials.

The Information Division, under Robert Horton, will have a new position of expert motion picture consultant at $6,500 a year, replacing the present position of motion-picture director, at $6,000; a film editor at $3,800 and an assistant film editor at $2,600, both new positions.

Horton's staff also will include a chief of radio section at $5,600, and a script writer at $4,600, dropping positions of radio specialist at $6,000 and chief script writer at $4,000.

Newsreel and television work, as now, will continue under the direction of a motion picture specialist at $5,200.

The Coordinator of Commercial and Cultural Relations Between the American Republics, a branch of the council, will continue the present positions of director of motion pictures at $8,500 a year, with an assistant at $6,000 and a film program specialist at $7,500 for motion picture work, and a director of radio at $9,000, with an assistant at $6,000 and a radio program specialist at $7,500 for broadcasting.

Para. Executives To Honor Balaban

Chicago, Jan. 12.—Executives of Paramount's production and theatre divisions, as well as district branch managers from all sections of the country, will be present at the banquet to Barney Balaban at the Drake Hotel here Jan. 23.

The affair will culminate a theatre drive honoring his fifth anniversary as president of Paramount. Winners of the drive awards will receive their prizes at the dinner.

Program arrangements are in charge of John Balaban of B. & K. and Nate Platt and Dave Wallerstein.

Ona Munson in Thursday

Ona Munson will arrive here Thursday for the New York broadcasts of "Big Town," in which she plays the role of "Lorelei."

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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THEY CHUCKLE!
THEY GASP!...
THEY SCREAM!
THEY LOVE IT!

● WHAT A PICTURE DOES TO AN AUDIENCE IS THE FINAL TEST AND "THIS THING CALLED LOVE" MEETS THAT TEST... ROLLING 'EM IN THE AISLES IS A GAG COME TRUE!... ROSALIND RUSSELL, MELVYN DOUGLAS IN A REAL CONVULSION OF NATURE!

A COLUMBIA PICTURE

20th-Fox Top Officials at Studio Meet

(*Continued from page* 1)

rector of advertising and publicity; Harry Brand, studio publicity director, and others.

McCarthy is due here from New York tomorrow for discussions of the publicity handling of films under the decree. The New York and Hollywood publicity departments are expected to be more closely coordinated under new plans worked out by Kent. Exploitation concentration is to be localized, it is understood.

Upon his return to New York, Wobber plans a conference with home office executives, to be followed by sales meetings in the field. Kent does not plan to return to New York until early next month.

Felix Jenkins, general counsel, is due at the studio before starting a tour of company exchanges, during which he will instruct the field sales force on the consent decree.

Matters for Discussion

Among the matters to be taken up at the studio conferences are the following:

1. Extent of production, budgets, and first vehicles.
2. Part to be played by production units such as those headed by Howard Hughes, William Hawks, Irene Dunn, Charles Boyer, Ronald Colman and others to be announced later.
3. How Howard Hughes' first special, "The Outlaw," will be handled this season.
4. Whether "Tobacco Road," the rights to which cost the company about $200,000, will be roadshown.
5. Confirmation of pending deals for additional stars.
6. Distribution expansion and operation.
7. Exploitation of "Tobacco Road," Zane Grey's "Western Union," "Blood and Sand," "Road to Rio," "The Eagle Flies Again," "The Great American Broadcast" and others.
8. Budget for production of super-specials for consent decree release at the company's London studio.
9. Concentration on exploitation, advertising and publicity and consideration of plans for a field exploitation staff to function next season.
10. The number of Technicolor specials that can be made for the 1941-'42 season.

Lawrence Due Soon From Europe Study

Ludvig Lawrence, Continental European manager for M-G-M, will conclude a two-month survey of the company's European properties in Nazi occupied and unoccupied territory this week and then will return to New York, to report to Arthur M. Loew, vice-president in charge of foreign activities. He is expected here in about a month, depending upon available transportation.

Lawrence returned to New York last Summer following the capitulation of France and spent several months at the home office. He returned to Europe last Fall to begin his inspection trip and is now at Marseilles.

Feature Reviews

"Six Lessons from Madame La Zonga"

(*Universal*)

Hollywood, Jan. 12.

LUPE VELEZ and Leon Errol, recently paired in a series of comedies by another company, are to the fore in this continuation of Universal's series of comedies based on song titles. William Frawley, Helen Parrish, Charles Lang, Shemp Howard, Eddie Quillan, Big Boy Williams, Danny Beck, Frank Mitchell, Jimmy Wakely and Johnny Bond are others in the cast.

Miss Velez is seen as a South American night club personality temporarily out of funds; Errol as a Tenth Avenue Clancy masquerading as a Brazilian plantation owner; Frawley as a crook out to bilk Errol, and the Parrish-Lang duo as romantic leads. The comedy opens in New York and moves by boat to South America where complications of various kinds create humor.

Lang portrays the leader of a cowboy band, turned Spanish, which handles five musical numbers in the course of the picture, including the title song, to which Miss Velez sings and dances in the finale.

Joseph G. Sanford produced the picture with John Rawlins directing. Stanley Crae Rubin, Marion Orth, Larry Rhine and Ban Chapman wrote the screenplay from an original by Rhine and Chapman.

Running time, 62 minutes. "G."* ROSCOE WILLIAMS

"The Case of the Black Parrot"

(*Warners*)

A MYSTERY yarn, as may be deduced from the title, this adaptation, which stems from a novel by Burton E. Stevenson, a play by Eleanor Robeson Belmont and Harriet Ford, and a screenplay by Robert E. Kent, has a few moments of suspense and probably sufficient mystery to attract the ardent fans, but very little more.

The performances are hardly more than adequate. The cast is headed by William Lundigan, reporter who becomes involved and acts the amateur detective; Maris Wrixon, the fiancee and the daughter of a murdered antiquarian; Eddie Foy, Jr., photographer, whose comedy helps but little, and Paul Cavanagh, in the dual role of a Paris art dealer and the chief crook.

The yarn concerns a valuable hand-carved cabinet, in whose secret compartment are stolen diamonds, guarded by a poisoned claw device. Two murders and a half-dozen suspicious characters complicate the situation. Noel M. Smith directed.

Running time, 60 minutes. "G."* CHARLES S. AARONSON.

"You're Out of Luck"

(*Monogram*)

Hollywood, Jan. 12.

THIS latest of the Frankie Darro mystery comedies again has the young star supported by a cast headed by Manton Moreland, who provides his usual brand of capable comic relief. Kay Sutton and Richard Bond provide romantic interest, the latter as a police lieutenant aided by Darro in solving a case involving two murders committed by a gambling ring.

Vicki Lester, Janet Shaw, Tristram Coffin, Willie Castello and Alfred Hall round out the cast of the Lindsley Parsons production. The original screenplay was written by Ed Kelso and Howard Bretherton directed.

Through the initiative of Darro, portraying an apartment house elevator operator, the solution of murders of two of the apartment's inmates is unearthed.

Running time, 62 minutes. "G."* W. S.

**"G" denotes general classification.*

Taylor Takes Theatre

TORONTO, Jan. 12.—20th Century Theatres Ltd. has leased the Regent at Sudburg, Ont., for 10 years at a rental of $30,000 per year. This company is headed by N. A. Taylor, vice-president of the Independent Theatres Association of Ontario. Jack Alexander has been appointed manager of the Regent.

On Canadian Tour

TORONTO, Jan. 12.—Executives of Empire-Universal Films, Ltd., including O. R. Hanson, president; Paul Nathanson, vice-president, and A. W. Perry, general manager, are touring the company's branches in Canada.

Handle P. R. C. Product

KANSAS CITY, Jan. 12.—Producers Releasing Corp. has been incorporated here to handle the company's product in Western Missouri and Kansas. Incorporators are John Muchmore, former office manager for M-G-M; W. L. Norris, distributor of independent product for several years; William Pincus, independent distributor, and R. H. Patt.

VonHerberg Buys Cafe

SEATTLE, Jan. 12.—John G. VonHerberg, head of the Jensen-VonHerberg circuit, will venture into the restaurant business this month. He has taken over Rippe's Cafe.

Loew's Profit For Year Is $8,908,469

(*Continued from page* 1)

$12,247,551; interest, dividends and provision for contingencies, $4,317,957, and Federal income taxes, $1,800,855. The company had a consolidated earned surplus at the end of the year of $56,715,616.

Total assets were $161,086,870, of which current and working assets amounted to $72,655,504; current liabilities, $12,777,725; cash, $13,586,366; cash in foreign countries subject to export restrictions, $4,446,848, of which $1,278,983 had been received in the United States up to Jan. 2, this year.

Net assets in foreign countries amounted to $14,456,999, of which net current assets amounted to $3,223,946. Loew's is guarantor of $1,855,753 of current liabilities of foreign subsidiaries.

The company's report lists United States Government and agency securities held at $18,181,807; film inventories at $31,924,734, and other inventories at $5,682,792.

Common stock dividends for the year amounted to $3,331,385, and preferred stock dividends $887,718. Earnings for the year were equivalent to $65.16 per share on the outstanding preferred, compared with $71.98 per share the preceding year, and $4.82 per share on the common, compared with $5.48 the year before.

Revision of the company's film amortization method as of Sept. 1, 1939, resulted in about $3,150,000 more amortization expense than formerly, as operating charges.

Legion Condemns 'Nord,' French Film

"Hotel du Nord" was placed in the "C," or condemned, classification by the Legion of Decency during the past week, while "Kitty Foyle" and "Playgirl" were classified as "B," or objectionable in part. Of the remaining eight films classified, six were found unobjectionable for general patronage and two unobjectionable for adults.

The films and their classifications follow: Class A-1, Unobjectionable for general patronage—"Break the News," "Case of the Black Parrot," "Cavalcade of Faith," "Robin Hood of the Pecos," "The Saint in Palm Springs" and "You're the One." Class A-2, Unobjectionable for adults—"Honeymoon for Three" and "Maisie Was a Lady." Class B, Objectionable in part—"Kitty Foyle" and "Playgirl." Class C, Condemned—"Hotel du Nord."

Order Kent Examination

N. Y. Supreme Court Justice Edward B. McLaughlin on Friday authorized examination before trial of Sidney R. Kent, 20th Century-Fox president, next Friday in the infringement suit of Izola Forrester and Mann Page against 20th Century-Fox. Plaintiffs claim that "The Poor Little Rich Girl" plagiarized their play, "Joyous."

PREEMINENT

ALL three Eastman negative films make important contributions to the startling beauty of today's screen productions. Unvarying dependability and wide latitude make them the established favorites of critical cameramen. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
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PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Opening in Mexico Delayed by Strike

Mexico City, Jan. 12.—The new Cinema Magerit here opened on Friday after a month's delay due to a longshoremen's strike which prevented the clearing of American made carpets through the port of Vera Cruz. The 1,000-seat theatre is largely a reconstructed old palace. It will be the local RKO first run outlet, replacing the Olimpia. The opening film is "Lucky Partners," scheduled to run three weeks.

Vote to Arbitrate English Problems

London, Jan. 12.—After a lengthy discussion at its Newcastle meeting recently, the general council of the Cinematograph Exhibitors Association adopted a recommendation to form a joint committee with the Kinematograph Renters Society to arbitrate theatre problems arising from the war.

The committee will undertake open discussions of all problems, including various points brought up during the council meeting. C. P. Metcalf demanded that if any deadlock arose, the C.E.A. should bring the matter before the Board of Trade, in view, Metcalf contended, of the great amount of money regularly returned to the United States, and the fact that American films reach here only by virtue of the protection provided by the British Navy.

The C.E.A. currently is examining carefully a plan of mutual insurance through a suitable company to assist members whose houses have been destroyed by bombing attacks. The Government's war damage measure, however, prohibits mutual insurance schemes and orders the closing of such companies. The Board of Trade nevertheless is empowered to give special permission for such plans, and the C.E.A. intends asking whether such authorization could be expected in its case.

Local Houses Give Support to 'Dimes'

Support to the theatres' "March of Dimes" campaign for the National Foundation for Infantile Paralysis, beginning Thursday for a week was pledged by 400 managers and circuit district managers at a meeting of the New York-New Jersey theatre committee at the Astor Theatre on Friday morning.

Harry Brandt and Charles C. Moskowitz, co-chairmen for the area, and Oscar A. Doob, publicity chairman, detailed plans for the theatres' participation. The speakers urged that the East coast theatres attempt to vie with those on the West coast. Theatres will show two short films and have attendants gather contributions from patrons in the lobbies.

Eddie Dowden of Loew's told about the Broadway parade for the drive on Wednesday, of which he is in charge. The city has given permission to change the name of Times Square to "Dimes Square" for the day.

Feature Reviews

"Robin Hood of the Pecos"

(Republic)

WITH its locale the Texas country in the days after the Civil War when unscrupulous Northern politicians were preying upon the South, this Western has its quota of excitement, creditable drama and a sprinkling of Stephen Foster. Western fans should like it.

Roy Rogers is starred and has the support of George "Gabby" Hayes, Marjorie Reynolds, Cy Kendall, Sally Payne, Eddie Acuff, Roscoe Ates and others. Olive Cooper adapted an original story by Hal Long and Joseph Kane directed and acted as associate producer.

The story opens with Rogers, a Confederate soldier, returning from a prison camp in the North to find his friends, under martial law, planning to overthrow a crooked adjutant, Kendall. He discovers an easier solution, that of pledging allegiance to the country, but Kendall counteracts by framing the group. A cohort, who he had betrayed, kills Kendall and justice is restored.

Rogers sings "Jeannie with the Light Brown Hair" and two sagebrush numbers as the tale is told.

Running time, 59 minutes. "G."*

"Billy the Kid's Gun Justice"

(Producers Releasing)

THE outlaw of the title portrayed by Bob Steele is the same colorful character whose daring feats thrilled many in previous films. Here he is concerned with protecting a group of ranchers from real estate swindlers, uncovering wholesale murder and finally tricking the swindlers into buying a piece of property at many times its worth.

Sigmund Neufield produced the film and Peter Stewart directed with emphasis on the gun and fist battles. Others in the cast include Louise Currie, Al St. John, Carleton Young, Charles King, Rex Lease and Ted Adams.

Running time, 81 minutes. "G."*

**"G" denotes general classification.*

Construction Halted On Cleveland House

Cleveland, Jan. 12.—The Cleveland Building Commission has ordered construction on Cleveland's first newsreel theatre halted after a fire accidentally started by a workman revealed that inflammable cotton batting was being used in some of the walls.

The batting, being used as an acoustical material, is held in violation of the building code. Theatre officials said most of the walls are insulated with fireproof rock wool.

Cincinnati Theatres Fight Coin Machines

Cincinnati, Jan. 12.—The first local action to combat competition from showing of coin operated pictures has been taken by the Greater Cincinnati Independent Motion Picture Association. The group has petitioned the City Council, urging passage of an ordinance "to tax or license any machine which exhibits to the public moving pictures or televises pictures excepting in duly licensed theatres."

Canada Industry Aiding War Effort

Toronto, Jan. 12.—Canada's film trade organization to aid defense, officially known as the Motion Picture War Services Committee and headed by N. L. Nathanson, has planned a program of activities throughout 1941 in support of Canada's war effort. The committee arranged cooperation on behalf of 900 theatres to publicize the new instalment method of paying the 1941 Federal income tax with the four newsreel companies in the Dominion providing a series of news clips.

Films for 900 Theatres

Four news shots to be produced by the Government will be released to the 900 theatres for the next War Savings Stamps campaign in February and March, for which there will be 3,280 bookings, representing approximately 30,000 showings.

A sub-committee to look after campaign details includes N. L. Nathanson, Col. John A. Cooper, O. R. Hanson, T. J. Bragg and N. A. Taylor, representing the circuits, independents and exchanges. Physical distribution of films will be handled by Regal Films through its six branches.

The resignation of H. M. Masters, former Canadian manager of United Artists, was accepted and Henry L. Nathanson, general manager of Regal Films, was elected to his place on the committee, to which T. J. Bragg, secretary-treasurer of Famous Players Canadian Corp., was also added. Other members of the board, apart from the sub-committee, include Harry Alexander, L. M. Devaney, J. J. Fitzgibbons, Clair Hague, J. P. O'Loghlin and Louis Rosenfeld.

SEC Reports Kent Purchase of 1,000 Shares of 20th-Fox

Washington, Jan. 12.—Acquisition of 1,000 shares of 20th Century-Fox common stock by Sidney R. Kent, president, bringing his holdings to 2,180 shares, was the largest of three film stock transactions reported over the weekend in the first December summary of the Securities and Exchange Commission.

The other transactions reported were the disposition of 300 shares of Consolidated Film Industries preferred stock by E. H. Seifert, Fort Lee, N. J., director, reducing his interest to 100 shares, and acquisition of 200 Universal Corp. common voting trust certificates by Preston Davie, New York director, bringing his holdings to 2,600 held direct and 26,500 held through Standard Capital Co., together with 111,283 voting trust certificate warrants also held through Standard Capital.

Pathe Films Report

First reports filed under the Investment Company Act of 1940 included a report on holdings in Pathe Films of Nov. 1, last, showing that George J. Bonwick, Henry J. Guild and Donaldson Brown, held no securities direct. Brown, however, was an indirect owner of securities through the Broseco Corp., which reported holding 58,102 shares of common and 1,844 shares of preferred stock.

The report showed that T. C. Davis held 100 shares of common stock; Allan P. Kirby held 2,100 shares direct, 1,000 shares through holding company A, 4,000 shares through holding company B, and 600 shares through a trust; Kenneth M. Young held 400 shares of common; Robert R. Young held 20,497 shares of common, and Mabel M. Malone held one share of preferred stock.

A report on Columbia Broadcasting System showed that Paul W. Kesten disposed of 757 shares of Class A common, reducing his holdings to 744 shares of Class A common in addition to 800 shares of Class B, and H. Bayard Swope disposed of 300 shares of Class A common held through the Keewaydin Corp., reducing his interest to 1,100 shares held direct and 4,100 shares held through Keewaydin Corp.

Phila. Showmen Club Adds Welfare Group

Philadelphia, Jan. 12.—Showmen's Club, Philadelphia's newest industry organization, for the first time adds social welfare to its group activities. A Welfare Fund Committee was appointed to serve as a clearing house for the unemployed in the industry, with Meyer Adelman, head of *South Jersey Messenger,* as chairman. David Yaffee, counsel for the organization, is secretary of the committee, which includes Sam Rosen and Charles Stiefel. The committee will create a fund to provide family assistance and hospitalization for needy industry members. Joe E. Sapsis was appointed chairman of the house committee, and Maurice Verbin chairman of the membership committee. A testimonial dinner for the club's retiring "Star," Allen Lewis, manager of the Dante Theatre, will be held Feb. 17.

Critics' Quotes . . .

"PHILADELPHIA STORY" (M-G-M)

Has about everything that a blue-chip comedy should have.—*Bosley Crowther, New York Times.*

It was superb. It was grand entertainment. It was one of the happiest successes of the year.—*Lee Mortimer, New York Daily Mirror.*

Superb, and whoever has even the faintest share in making it is a dove . . . the movie's better than the play if for no other reason than where could you find a stage rife with such engaging people.—*Cecelia Ager, PM (New York).*

Much more entertaining than it sounds while being taken to pieces. That is because performances, moods and feelings are beautifully rendered.—*Archer Winsten, New York Post.*

"LOVE THY NEIGHBOR" (Paramount)

With Benny and Allen as stellar principals, and with Mary Martin and Rochester performing in top form, "Love Thy Neighbor" looks like one of those rare "naturals."—*John L. Scott, Los Angeles Times.*

Considerably less than hilarious . . . One of the faults with it is that they both try too hard to be clever, and so at times the results are not only strained but unfunny.—*William Boehnel, New York World Telegram.*

From the very first flash—yes, even the listing of credits is good for a big laugh—the fun never stops.—*Prunella Hall, Boston Post.*

"SANTA FE TRAIL" (Warners)

With the help of Michael Curtiz' well-tempered direction and Massey's passionate interpretation of Zealot Brown, "Santa Fe Trail," in spite of its hackneyed romance, becomes a brilliant and grim account of the Civil War background.—*Time.*

The switch from conventional yarn spinning to historical drama works no hardships on either Western fans or Errol Flynn admirers . . . the story, expertly directed by Michael Curtiz, is developed with plenty of action.—*Newsweek.*

It's all the rankest hokum, but it photographs beautifully.—*New York Times.*

Attuned to one's eyes and intellectual risibilities, since it is a colorful and random study, almost an essay, of circus characters and atmosphere.—*New York Herald Tribune.*

Brought to the screen in warm, beautiful tones of Technicolor, it offers a special treat for those who have thrilled at any time to the lure of the big top. —*Donald Kirkley, Baltimore Sun.*

An eye-filling episodic tale of early America. It has its amusing, also tense moments but it is more of a narrative than a drama.—*Norman Clark, Baltimore News Post.*

"NORTH WEST MOUNTED POLICE" (Paramount)

Handsome, naive and gory . . . a super production in its photography department.—*Elsie Finn, Philadelphia Record.*

So long as "North West Mounted Police" sticks to spectacle and action it is eye-filling and exciting. But when it depends on dialogue or comedy it is more than a little silly.—*Philadelphia Inquirer.*

There's plenty of action . . . And there's also a generous portion of romance and the beautiful outdoor scenery to please the eye.—*Dorothy Guinan, Philadelphia Daily News.*

"FOUR MOTHERS" (Warners)

The production, direction and the acting are all up to snuff.—*Gilbert Kanour, Baltimore Evening Sun.*

Even if Warner Bros. are forced to continue the chronicle of the four charming Lemp sisters until they reach the grey-haired stage, the story must be a touching and appealing vehicle, as Priscilla Lane, Rosemary Lane, Lola Lane and Gail Page are just as interesting "Four Mothers" as they were "Four Daughters."—*Philadelphia Daily News.*

While an amiable film, has little excitement and the story and characterizations seem to be running a bit thin.—*Henry T. Murdock, Philadelphia Ledger.*

A pleasant, wholesome family, but these affairs are beginning to wear a little thin.—*Laura Lee, Philadelphia Bulletin.*

Another warm, everyday story of family cooperation.—*Philadelphia Inquirer.*

"THE THIEF OF BAGDAD" (Korda - United Artists)

Korda, with superb grasp, has used the mesmerizing power of Technicolor and great, spectacular sets to dominate his production. It is terrifically effective, a master stroke, and the box-office should prove well worth the two years the producer spent in preparation and production.—*Boston American.*

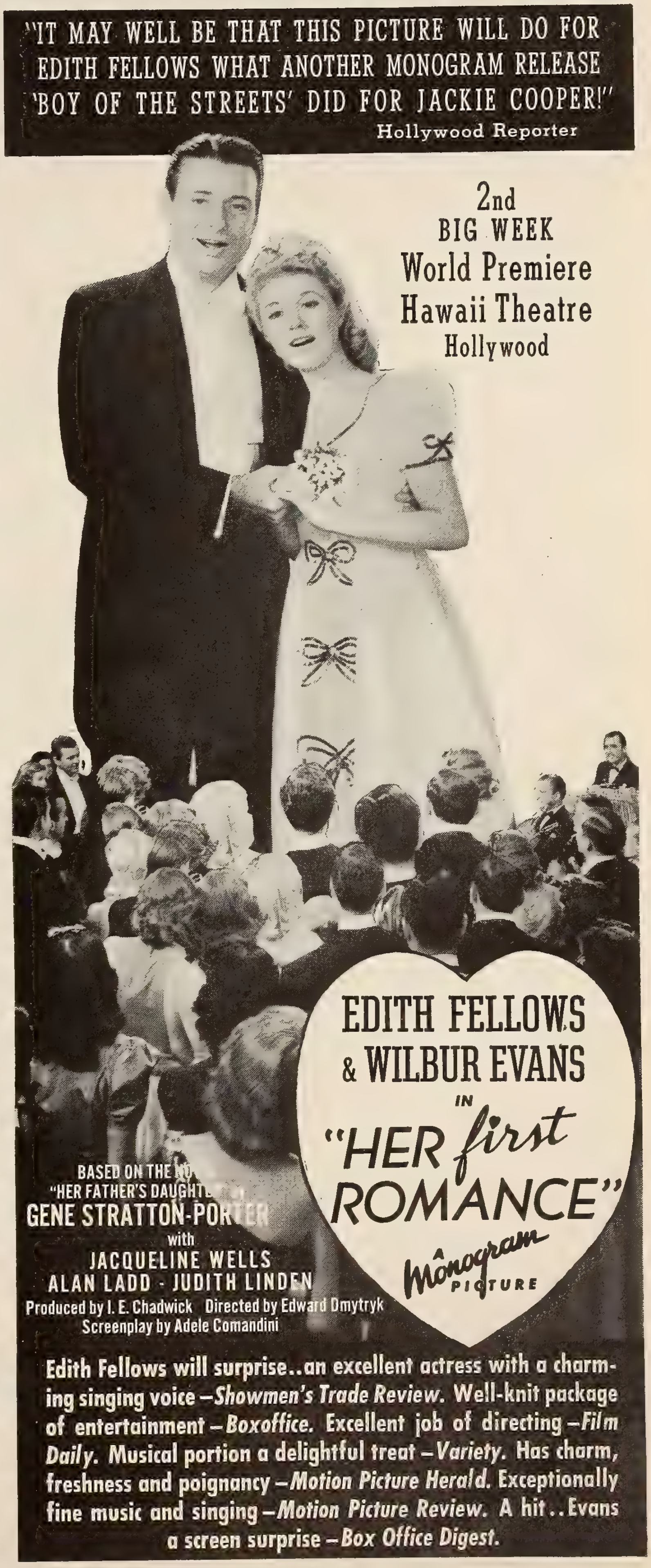
Outside the Disney miracles, this is the best realization to date of the screen's ability to perform feats of magic and wonder—*Providence Journal.*

Dismiss Para. Action

Stipulation has been filed in U. S. District Court dismissing with prejudice but without costs the pagiarism suit of Robert L. Buckner against Paramount and Charles Beahan. The plaintiff alleged that a play, "Dearly Beloved," was infringed by Paramount in the film, "Midnight."

Circuit Is Realigned

COLUMBUS, O., Jan. 12.—Changes in the corporate structure of the local F. W. Rowlands circuit include transfer of title of the Columbia, neighborhood house, to Rowlands and associates by the Steelton Theatre Corp., and the leasing of the Main to Main Theatre, Inc., for 10 years.



"IT MAY WELL BE THAT THIS PICTURE WILL DO FOR EDITH FELLOWS WHAT ANOTHER MONOGRAM RELEASE 'BOY OF THE STREETS' DID FOR JACKIE COOPER!"
Hollywood Reporter

2nd
BIG WEEK
World Premiere
Hawaii Theatre
Hollywood

EDITH FELLOWS
& WILBUR EVANS
IN
"HER *first* ROMANCE"
A Monogram PICTURE

BASED ON THE NO
"HER FATHER'S DAUGHTE
GENE STRATTON-PORTER
with
JACQUELINE WELLS
ALAN LADD - JUDITH LINDEN
Produced by I. E. Chadwick Directed by Edward Dmytryk
Screenplay by Adele Comandini

Edith Fellows will surprise..an excellent actress with a charming singing voice—*Showmen's Trade Review.* Well-knit package of entertainment—*Boxoffice.* Excellent job of directing—*Film Daily.* Musical portion a delightful treat—*Variety.* Has charm, freshness and poignancy—*Motion Picture Herald.* Exceptionally fine music and singing—*Motion Picture Review.* A hit..Evans a screen surprise—*Box Office Digest.*

Song Writers Ask Support In Music 'War'

Song Writers Protective Association will call upon other creative crafts for assistance in the radio music war when the organization meets tonight at the Park Central Hotel.

Representatives of Actors Equity, American Federation of Radio Artists, American Guild of Variety Artists, Dramatists Guild, American Newspaper Guild and similar organizations have been invited.

Many S.P.A. members are not affiliated with Ascap. Its president, Irving Caesar, and the bulk of the membership, are Ascap members, however.

ASCAP to Broadcast

Ascap this week will take to the air over the 103 stations which have renewed their contracts with the society to explain its position to the public.

On Saturday, 8 to 9 P.M., "Ascap on Parade" will be presented locally over WHN, WNEW and WMCA. Several of the out-of-town stations will be linked by wire but most of the remaining 100 stations will receive transcriptions for rebroadcasts.

Ascap will pay for the time on all stations. A 26-piece orchestra and a 16-voice choir will be heard, together with prominent Ascap members as guests. On the first show, Irving Berlin, George M. Cohan, Rodgers & Hart and Oley Speaks will appear.

The program, which will be heard immediately prior to "Your Hit Parade" over CBS, will play the leading songs of the week, while the "Hit Parade" is limited to non-Ascap tunes Billy Rose is producing the show and Deems Taylor will act as commentator. Between songs there will be explanations of the music "war" from the Ascap point of view.

Caesar Guest on Show

On Wednesday of this week, WNEW will start a new twice-weekly program, 9:30 to 10 P.M. Wednesdays and Fridays, which will feature Ascap songwriters as guests. Dick Gilbert will conduct the program. Irving Caesar, president of the Song Writers Protective Association, will be the first guest and will be followed by Abner Silver, Ernie Burnett, Peter de Rose and May Singhi Breen.

The "Pot o' Gold" show for the metropolitan New York area heard over WHN, WNEW and WMCA will feature an Ascap composer each week with Cole Porter as the first guest. Yesterday, Caesar, who was formerly heard over WOR with "Songs of Safety," but whose program was forced off the air by the music battle, returned with the same series over WNYC. The latter station has both Ascap and BMI music but pays nothing for either license because it is non-commercial.

Over the weekend it became known that of the commercial stations 601 have BMI licenses exclusively, 60 have Ascap alone and 63 have both. BMI also announced the signing of Glenn Miller's publishing house, Mutual Music, to a non-exclusive three-year contract.

BMI sheet music sales went over the 100,000 mark for the week ending Friday. The top five songs with their sales to date were "There I Go," 125,734; "Practice Makes Perfect," 68,651: "I Hear a Rhapsody," 66,325; "I Give You My Word," 56,303, and "So You're the One," 46,012.

Off the Antenna

MUTUAL plans to establish a regional hookup for central and northern New York with WABY, Albany, as the key station. WABY will leave NBC-Blue today and join Mutual as the network's 173rd affiliate. The Adirondack Broadcasting Co., of which Harold Smith is president, owns WABY. The station operates with 250 watts, full time, on 1,370 k.c.

• • •

Purely Personal: *P. J. Hennessey, Jr., former Washington counsel for NBC, has resigned to join Hogan & Hartson, a Washington law firm. NBC has retained the firm as counsel. . . . Charles Paul will supply the music for "March Through Life" which starts today over CBS. . . . Richard Bonelli and Kay Thompson will be guests of Raymond Paige's "Musical Americana" on its last program Thursday over NBC-Red. . . . Gene Hamilton, NBC announcer, became the father of a boy last week. . . Sylvia Kleinberg, of WHN, was married last week to Hans Fisher . . . Ted Steele has been signed as master of ceremonies for "Discoveries of 1941." . . . Raymond Gram Swing returns to the Mutual microphone tonight. . . . Vic Diehm, WAZL, Hazelton, Pa., manager, has been elected governor of the Pennsylvania district of Kiwanis International.*

• • •

WOR has added another half-hour to its daily operations and is going on the air at 5:30 A.M. instead of 6. Beginning Jan. 26, the additional half-hour will be added to the Consolidated Drug Products spot, 6-6:30 A.M.

• • •

WPTF, Raleigh, N. C., member of the NBC-Red [illegible] theastern group, will go up to 50,000 watts unlimited time on Feb. 15, it [illegible] nnounced over the weekend. Rates per evening hour will be raised from [illegible] $240 at the same time.

• • •

Program News: *Philip Morris has renewed "Johnnie [illegible] ver 97 NBC-Red stations effective Jan. 28 for one year. . . . Hearn De[illegible] Store will start a weekly full hour show this Saturday over WHN, 10* [illegible]

• • •

Phil Cook's annual drive for books for shut-ins on his "Morning Almanac" over WABC brought in 42,361 volumes from 1,861 contributors during the holiday season. The books were distributed to 78 hospitals and two Army training camps.

Postpone Trial of Ellis Contract Suit

PHILADELPHIA, Jan. 12.—A breach of contract action against 20th Century-Fox, scheduled for trial at the end of the month in Federal District court here, will be postponed, according to Harry A. Kalish, attorney for Abe Ellis, the plaintiff, while efforts to reach an out-of-court settlement are made.

Ellis, who operates the Towers, Camden, N. J., filed suit last Fall for $67,500 damages for failure to deliver product which he alleges was promised him verbally. Attorneys will meet next week to begin settlement discussions.

Wallis En Route East

HOLLYWOOD, Jan. 12.—Hal Wallis, Warner's production executive, left over the weekend for Washington and New York. He will confer in the East with George Kaufman and Moss Hart on "The Man Who Came to Dinner."

Rep. Holds Don Barry

HOLLYWOOD, Jan. 12.—Republic has extended Don Barry's contract for another series of eight action westerns.

B. & K. in Parleys For AGVA Contract

CHICAGO, Jan. 12.—Negotiations between Jack Irving, president of the Chicago local of the American Guild of Variety Artists, and Nate Platt, production head for B. & K., are continuing here but nothing definite has been determined yet.

AGVA seeks a contract calling for an AGVA shop, $60 weekly for principals, $37.50 for chorus, maximums of three performances daily and four on weekends and holidays, wardrobes to be furnished for chorus members, rehearsals limited to 10 hours weekly and the chorus to receive one full week's layoff with pay for each seven weeks' engagement.

Mayo With Philadelphia AGVA

PHILADELPHIA, Jan. 12.—Dick Mayo, former local representative for the Theatre Authority, has been named executive secretary for the AGVA local here, succeeding Jack Miller. who returned to the national offices in New York.

Drop Old Charges In Columbia Suit

Five stockholder plaintiffs in a suit against Columbia Pictures and its officers on Friday agreed to drop all charges of waste and mismanagement allegedly occurring before September, 1933, in a motion filed in N. Y. Supreme Court. The stockholders consented because the charges are barred by the statute of limitations. The suit itself remains.

Demand Ban Against Foreign Broadcasts

Rochester, Jan. 12.—The drive to eliminate foreign language radio broadcasts by local stations received further impetus here over the weekend when the local chapter of the Sons of the American Revolution adopted a resolution condemning such programs. All other chapters in the state were urged to take similar action.

Seek Showdown on Delaware Blue Law

WILMINGTON, DEL., Jan. 12.—Plans to precipitate a showdown on Delaware's 144-year-old Sunday blue laws will be discussed here by a group of proprietors of bowling alleys and skating rinks, who have announced their intention of opening their establishments Sunday. If they are closed by police the proprietors said they plan to swear out warrants for proprietors of every other type of business operating on the Sabbath.

A special report for the 1941 state legislature, now in session in Dover, containing recommendations for changes in the blue laws is being prepared by the Blue Laws Commission, of which the Rev. Ralph L. Minker is chairman.

U. S. Is Considering B & K Oriental Deal

WASHINGTON, Jan. 12.—The Department of Justice is understood to have taken under advisement the Balaban & Katz proposal for taking over operation of the Oriental, second largest theatre in Chicago's Loop.

The proposed B. & K. acquisition was placed before Department of Justice representatives here on Friday in accordance with the standstill agreement on theatre acquisitions entered into by affiliated circuits with the Department of Justice in connection with the New York anti-trust suit.

Monogram Meeting Ends in St. Louis

ST. LOUIS, Jan. 12.—Monogram concluded a two-day franchise holders' meeting at the Hotel Jefferson here today, with W. Ray Johnston, president; Samuel (Steve) Broidy, general sales manager, and others discussing plans for the company's "March of Monogram" drive, Feb. 22 to April 11.

Ireene Wicker Gets Award Tomorrow

Ireene Wicker, the "Singing Lady" who won first place in *Motion Picture Daily's* poll of radio editors for the best children's program, will be formally notified of that distinction tomorrow at 2 P.M. when she will be guest on "Streamline Journal" on NBC-Blue.

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Picture
Industry

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First in
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Accurate
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OL. 49. NO. 9 NEW YORK, U. S. A., TUESDAY, JANUARY 14, 1941 TEN CENTS

C. C. Pettijohn Hits Chicago Censor Bill

Asks No Change in Board If It Is Continued

By IRVING YERGIN

CHICAGO, Jan. 13.—The Chicago City Council Committee on Judiciary was urged by C. C. Pettijohn, MPPDA general counsel, at a hearing today to make no changes in the censor board's operations in the event the city is to continue that board.

The committee's hearing was on a resolution to remove the censor board from Police Department supervision and to limit the new censor board's functions to censorship of pictures for children only.

Jack Kirsch, president of Allied of Illinois, and Morris Leonard, attorney for Balaban & Katz, also appeared before the board and said they concurred

(Continued on page 6)

Stimson Praises Industry Service

HOLLYWOOD, Jan. 13.—Y. Frank Freeman, chairman of the Motion Picture Production Defense Committee, today disclosed official recognition had been given the industry by Secretary of War Henry L. Stimson for its "non profit" services to the Army.

Stimson expressed appreciation for the industry's work since 1930 in training Signal Corps officers in film methods.

At the same time the Army announced the formation of the U. S. Army Chief Signal Officers Photographic Advisory Council which will advise Major General Mauborgne, who is in charge of all matters of policy regarding films for the Army. The council will consist of Col. Nathan Levinson, Lieut. Col. Darryl Zanuck and Major John Aalberg.

Formation of an Army Signal Corps Photographic Laboratory organization and the commissioning of 10 officers in the Signal Corps Reserve were announced today by the Research Council of the Academy of M. P. Arts & Sciences. Officers com-

(Continued on page 6)

Arthur Urges Films To Meet Opposition

St. Louis, Jan. 13.—Bowling, basketball and the radio seriously threaten the motion picture box-office, believes Harry Arthur, Jr.

"The film business is a form of cheap entertainment and so are bowling, basketball and, of course, radio," he states. "It's up to Hollywood to give us the kind of product which will bring back the people who are patronizing such sports."

The Fanchon & Marco general manager also asks that Hollywood stop grieving about the loss of the foreign market and to concentrate on developing the domestic market.

Keough Holds 2nd Meeting on Decree

Austin C. Keough, Paramount vice-president and general counsel, conducted the second of a series of meetings at Boston yesterday to instruct the company's field sales forces on their responsibilities under the consent decree. The first meeting was held in New York last week.

Louis Phillips, Paramount home office attorney, held a similar meeting for the company's Milwaukee exchange staff last week and this week will conduct another in Chicago. Keough will hold sessions at Paramount exchanges in the East and South, and Phillips will visit the Midwest and Far West exchanges.

'Little 3' Dismissal Hearing Delayed Until Next Month

Hearing on motions of United Artists, Universal and Columbia to dismiss the Government's amended anti-trust suit, which had been scheduled for Jan. 30, was postponed by Federal Judge Henry W. Goddard yesterday to an indeterminate date in February.

The postponement was granted to avoid conflict with a hearing scheduled for Jan. 31 in Federal court at Oklahoma City on the defendants' motion to dismiss the Government suit there.

The Government plans to try the Oklahoma City case first. Judge Goddard, therefore, gave precedence to that hearing, which several of the New York attorneys expect to attend.

'Bishop' Will Open In Lincoln Today

LINCOLN, Jan. 13.—Celebrities from Hollywood and New York will gather here tomorrow for the triple premiere of Richard A. Rowland's film, "Cheers for Miss Bishop," releasd by United Artists. It will open simultaneously at the Stuart, Nebraska and Lincoln Theatres.

From Hollywood will come a group headed by Rowland, Tay Garnett, the director, and Irvin S. Cobb, and including William Gargan, Wayne Morris, Albert Dekker, Neil Hamilton, Barbara Pepper, Mary Anderson, Martha O'Driscoll, Lois Ranson, William Farnum and Marsha Hunt.

Song Writers to Form Union; BMI Attacked at Meeting

The Song Writers Protective Association at a meeting last night at the Park Central Hotel decided to form an A.F.L. union to better cope with the present music situation, after a resolution was adopted urging that steps be taken to bring the song writers' case to the attention of the public.

Irving Caesar, S.P.A. president and prominent Ascap member, declared that BMI was the only important firm which has refused to sign the standard S.P.A. contract. Acknowledging that BMI has incorporated many of the S.P.A. provisions into its contract, "such things as royalties from the sale or licenses to

(Continued on page 8)

20th - Fox Considers July Trade Showings

HOLLYWOOD, Jan. 13. — Discussions of 20th Century-Fox executives at the studio, which started today, center at present on the proposal to have two blocks of five films each ready for July trade showings, in line with the Federal consent decree. Conferring are Sidney R. Kent, Joseph M. Schenck, Herman Wobber, Darryl F. Zanuck and William Goetz. The meeting may extend into next week, going into all phases of production, distribution and advertising and exploitation as affected by the decree.

Regulation Is Threatened By Wheeler

'Unbridled Propaganda' Cited by Senator

By BERTRAM F. LINZ

WASHINGTON, Jan. 13.— Legislation to regulate the motion picture industry was threatened today by Senator Burton K. Wheeler, anti-war chairman of the Senate Interstate Commerce Committee, as a result of what he termed its "unbridled propaganda."

The possibilities of Congressional action were disclosed in a letter which the Senator said he had sent to Will H. Hays, president of the MPPDA, charging the industry with engaging in extensive propaganda for war with the encouragement of the Administration.

The Senator told Hays that war propaganda by the industry was reaching a point where he believed legislation will have to be enacted to control such activities unless the industry adopts a "more impartial" attitude.

Discussing the situation, he said it was his understanding that the Administration had urged the industry to produce and distribute propaganda pictures.

Korda Arrives for U. A. Board Meeting

Alexander Korda, United Artists owner-producer, arrived from the Coast by plane yesterday. He will attend the monthly meeting of the United Artists board of directors at the home office today.

Korda plans to leave for the Coast on Thursday. Maurice Silverstone, United Artists chief executive; Arthur W. Kelly, vice-president and general sales manager; Charles Schwartz, director and counsel, and Edward C. Raftery, director and counsel, will leave for the Coast this weekend for meetings with company producers.

Korda will testify tomorrow in Federal District Court in the suit of Samuel Goldwyn against United Artists, under an agreement reached yesterday by attorneys before Federal Judge Edward A. Conger. Korda will

(Continued on page 6)

Times Square to Be 'Dimes Square'

Mayor F. H. LaGuardia and other celebrities are scheduled to take part in ceremonies at noon tomorrow changing the name of Times Square to "Dimes Square" for the day in connection with the theatres' participation in the drive for the National Foundation for Infantile Paralysis. The dancing "lines" from the Radio City Music Hall and the Roxy will put on a "dance of dimes." This will be preceded by a parade down Broadway with about 1,000 ushers and others in line.

'Philadelphia' to Go Four Weeks at Hall

"Philadelphia Story" will play a fourth week at the Music Hall. Now in its third, the film with a stage show grossed an estimated $62,000 Thursday through Sunday.

"Love Thy Neighbor" concludes a four-week run at the Paramount tomorrow. The picture with Tommy Dorsey's orchestra drew about $14,000 Saturday and Sunday and is expected to finish its final week tonight with an estimated $30,000. "Second Chorus" with Harry James and his orchestra on the stage opens tomorrow.

"Four Mothers" with Sammy Kaye on the stage gave the Strand about $19,000 Friday, Saturday and Sunday in its first week and will be held for a second. At the Roxy, "Hudson's Bay" and a stage show garnered about $36,000 Thursday through Sunday and will hold over.

"Night Train" continued strong at the Globe, drawing an estimated $11,500 the second week and is now in a third. "Kitty Foyle" will go a second week at the Rivoli.

7,871 Theatres Join In Red Cross Drive

A total of 7,871 theatres will have participated in this year's national Red Cross campaign, according to a report issued yesterday by the industry's campaign committee for theatres, of which L. E. Thompson is general chairman and David Palfreyman, secretary.

It is pointed out, that 6,488 theatres exhibited the industry's special Red Cross drive subject, featuring Deanna Durbin, during the Nov. 11-30 period.

An additional 1,423 theatres will book the subject in 66 cities which conduct their annual Red Cross drives after Nov. 30, according to the committee report. A large number of other theatres was unable to participate either because their communities do not conduct Red Cross drives or because their drives are consolidated with Community Chest fund campaigns.

Club Election Saturday

Cincinnati, Jan. 13.—The Cinema Club of Cincinnati will hold its annual election of officers Saturday. Installation dinner has been set for Feb. 21, in the Variety Club quarters.

Personal Mention

ROBERT M. GILLHAM, Paramount advertising and publicity director, will arrive from the Coast today.

•

Oscar Morgan, Paramount Southern division manager, is in Atlanta on a brief business visit.

•

Betty Goldsmith, secretary to James Mulvey, Eastern representative for Samuel Goldwyn, yesterday started on her 11th year with Goldwyn.

•

Venus Dipson, daughter of Nikitas Dipson, upstate New York circuit operator, and William Helis, Jr., were married recently at the home of Spyros Skouras in Westchester.

•

B. G. Kranze, RKO manager in Albany, left yesterday with Mrs. Kranze for Miami.

•

Max Friedman, zone booker for Warners Theatres in Albany, and Mrs. Friedman left over the weekend for a Miami Beach vacation.

•

Harry Glickman, president of Mecca Film Laboratories, has returned from three weeks' vacation in Miami.

•

Frank J. Shaughnessy, manager of the Academy, Northampton, Mass., sustained face and head injuries in an automobile accident last week.

•

John Milligan of the Schuyler, Schuylerville, N. Y., is in Miami on vacation.

JOSEPH BERNHARD, general manager of Warner Theatres, is due Saturday from the studio.

•

Albert Lewin, production partner of David Loew, arrived yesterday for conferences at United Artists. Loew arrived here last week.

•

Elmer Sichel, 20th Century-Fox booker in Albany, and Mrs. Sichel have left by auto for Miami.

•

Mrs. Sam Kaplan, wife of the RKO home office projectionist, on Saturday gave birth to a son at Bronx Hospital.

•

Robert Weitman, Arthur Mayer, J. Robert Rubin, Toby Gruen, John Golden, Frederic Lonsdale and William Melniker lunching at Sardi's yesterday.

•

Fred McConnell, Walter Futter, Douglas Rothacker, Jeffrey Bernerd, James Cron, Ray Gallagher and Lou Pollock at the Tavern yesterday for lunch.

•

Clarence Eiseman, B. S. Moss, Martin Moskowitz and Hal Horne having lunch at Lindy's (51st St.) yesterday.

•

Herman Robbins, Erno Rapee, E. K. O'Shea and Sidney Phillips lunching yesterday at Nick's Hunting Room in the Astor.

•

Nate Spingold, Jack Cohn, Rube Jackter, Maurice Freeman, Milton Berle and Edward Wolf at Lindy's (next to the Rivoli) yesterday for lunch.

Trade Press Lunch Welcomes Weshner

David E. Weshner, recently appointed exploitation director for United Artists, was feted at a luncheon yesterday at Dinty Moore's restaurant attended by trade press representatives.

Among those in attendance were Martin Quigley, Maurice Silverstone, Arthur Kelly, Terry Ramsaye, Charles Buckley, Walter Gould, Monroe Greenthal, Albert Margolies, Maurice Kann, Chester Bahn, Don Mersereau, James P. Cunningham, Charles S. Aaronson, Jack Harrison, Charles E. Lewis and Herbert Golden.

Johnstone Named by New Orleans Union

New Orleans, Jan. 13.—A. S. Johnstone has been reelected president of the operators' Local 293 here. Other officers are: A. C. Miranne, vice-president; E. L. Beaud, recording secretary; J. E. Skelly, financial secretary; E. L. Beaud, business agent. Members of the executive board are: W. L. Breitenmoser, Beaud, Miranne, Skelly, A. T. Weiss, V. C. Malhes and T. N. Chateau.

Charter N. Y. Bookers

Albany, Jan. 13.—Michael F. Walsh, Secretary of State, has issued incorporation papers to the Motion Picture Bookers Club of New York, Inc., which was organized more than a year ago.

Kansas Unit Names Legislative Group

Kansas City, Jan. 13.—R. R. Biechele, Kanas City, Kan., president of the Kansas-Missouri Theatres Association, has appointed Rex Barrett, Commonwealth Theatres manager at Columbia, Mo., as chairman of the legislative committee for Missouri. Other members named by Biechele are Frank Cassil of the Rialto and Uptown, St. Joseph, Mo., and Tom Edwards of the Ozark, Eldon, Mo.

The Missouri legislature convened Jan. 8, but the fight over the seating of Forrest C. Donnell, St. Louis, as Republican Governor is expected to delay any legislative action by the preponderantly Democratic legislature, possibly for weeks.

MPPDA Directors Will Meet Today

The MPPDA board of directors will meet again today at 11 A.M. The meeting is expected to be the last before Will H. Hays, president, leaves for the Coast to attend the annual meeting there of the Association of M. P. Producers, Feb. 4.

N. J. Allied Unit Meets

Forthcoming nomination and election of New Jersey Allied state officers at Trenton Jan. 21 was discussed yesterday at a meeting of the South Jersey unit at the Walt Whitman Hotel in Camden. Sam Frank, chairman of the unit, presided.

W. B. Release War Subject

By CHARLES S. AARONSON

"Christmas Under Fire," second of the propaganda short subjects produced by the British Government's General Post Office Film Unit, was previewed yesterday afternoon by Warners at the home office.

As was the case with "London Can Take It," first subject, also released by Warners, the profits from the distribution of this film will be contributed to British war relief. The earlier subject was released last Fall, and the new one will be released Jan. 24. The first release is said to have achieved about 12,000 bookings in the United States and Canada.

"Christmas Under Fire," when shown in London in December, was reviewed by cable in the Dec. 23 Motion Picture Daily by Aubrey Flanagan, who described it as a "superbly moving film." Quentin Reynolds, London correspondent for *Collier's*, who was narrator for the first subject, also handled the narration on this.

Running 10 minutes, the film pictures the manner in which the people of England carried through the Christmas holiday tradition despite the enemy bombers overhead. Most impressive is the scene of small children clustered about a laden Christmas tree, deep underground in the London subway.

Jorgenson Action Started in Dallas

Dallas, Jan. 13.—The anti-trust suit of H. N. Jorgenson, owner of the East Grand Theatre here, against Interstate Circuit, went to trial today before Federal Judge William H. Atwell and a jury.

The trial is expected to take two days, and is the first of three actions against Interstate. The other two are by Sam Kirscheimer, with trial scheduled to start Thursday, and by R. Z. Glass, on next Monday.

Arthur Joins Republic

Hollywood, Jan. 13.—George Arthur, associate producer for Paramount the last 12 years, has joined Republic in the same capacity.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Sequel to
"LONDON
CAN
TAKE IT!"

"XMAS UNDER FIRE"

Reel.. Filmed Under Fire, and Narrated Under Fire in London by the Famed War Correspondent of Collier's Magazine

Quentin Reynolds

NOTHER WARNER WAR SCOOP!

YOUR PATRONS LISTENED!

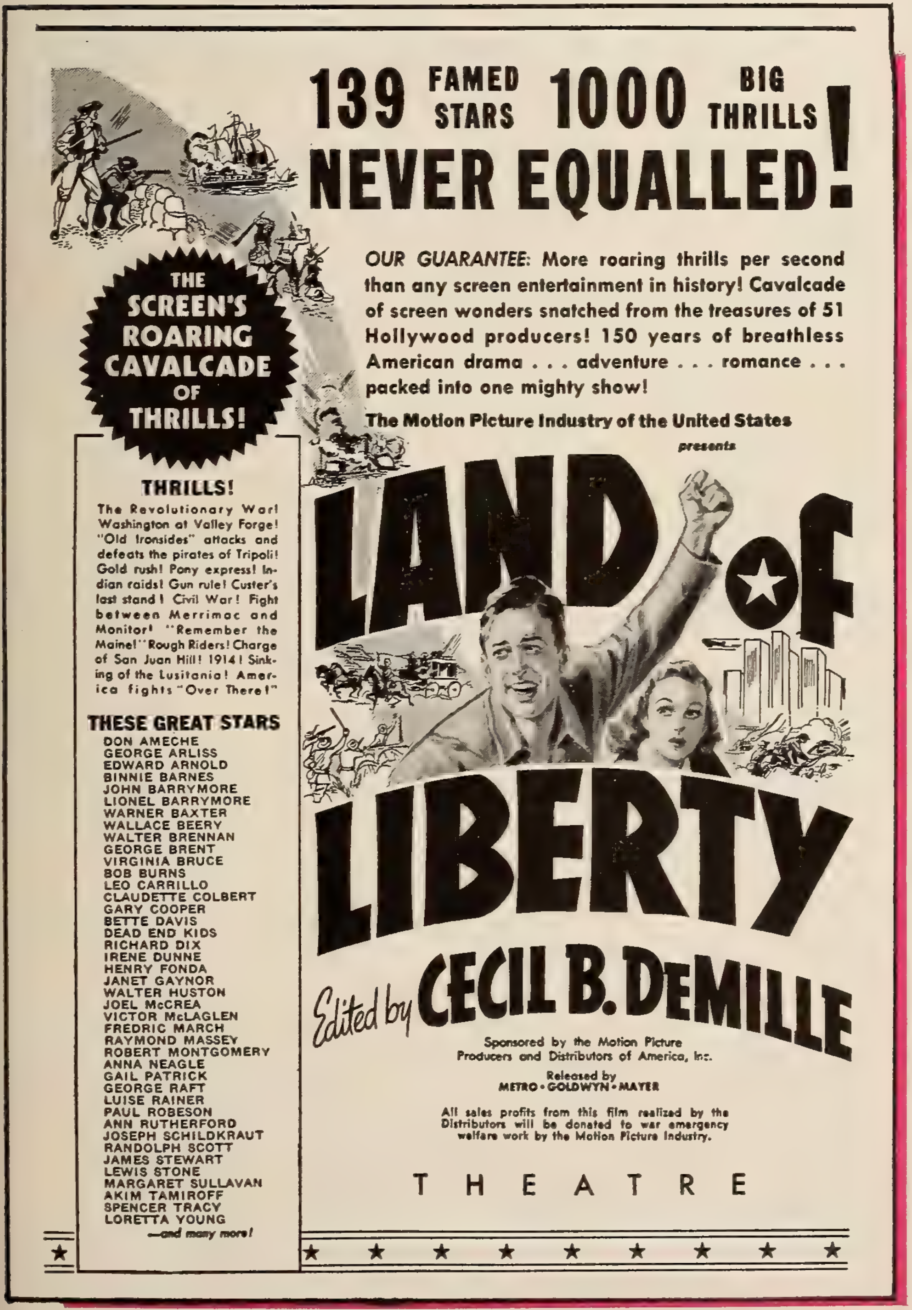
"Things worth fighting for" said President Roosevelt! Read every word of it!

> "As men do not live by bread alone, they do not fight by armaments alone. Those who man our defenses and those behind them who build our defenses must have the stamina and the courage which come from unshakeable belief in the manner of life which they are defending. The mighty action that we are calling for cannot be based on a disregard of all the things worth fighting for. The nation takes great satisfaction and much strength from the things which have been done to make its people conscious of their individual stake in the preservation of democratic life in America . . ."

Here's how *you* as part of the motion picture industry may help in the united effort to make all our people "conscious of their individual stake in the preservation of democratic life in America." *(continued above)*

THE SCREEN REPLIES!

While the President's words still echo throughout the land, how fortunate that our industry stands ready to fill the public's demand for a thrilling American motion picture entertainment! Here it is for *you* to see its wonders for yourself! It has been successfully pre-tested and complete showmanship campaigns are available to make it easy for you to score at the box-office and in the esteem of your community!



139 FAMED STARS 1000 BIG THRILLS NEVER EQUALLED!

THE SCREEN'S ROARING CAVALCADE OF THRILLS!

OUR GUARANTEE: More roaring thrills per second than any screen entertainment in history! Cavalcade of screen wonders snatched from the treasures of 51 Hollywood producers! 150 years of breathless American drama . . . adventure . . . romance . . . packed into one mighty show!

The Motion Picture Industry of the United States *presents*

LAND OF LIBERTY

Edited by CECIL B. DEMILLE

THRILLS!

The Revolutionary War! Washington at Valley Forge! "Old Ironsides" attacks and defeats the pirates of Tripoli! Gold rush! Pony express! Indian raids! Gun rule! Custer's last stand! Civil War! Fight between Merrimac and Monitor! "Remember the Maine!" Rough Riders! Charge of San Juan Hill! 1914! Sinking of the Lusitania! America fights "Over There!"

THESE GREAT STARS

DON AMECHE
GEORGE ARLISS
EDWARD ARNOLD
BINNIE BARNES
JOHN BARRYMORE
LIONEL BARRYMORE
WARNER BAXTER
WALLACE BEERY
WALTER BRENNAN
GEORGE BRENT
VIRGINIA BRUCE
BOB BURNS
LEO CARRILLO
CLAUDETTE COLBERT
GARY COOPER
BETTE DAVIS
DEAD END KIDS
RICHARD DIX
IRENE DUNNE
HENRY FONDA
JANET GAYNOR
WALTER HUSTON
JOEL McCREA
VICTOR McLAGLEN
FREDRIC MARCH
RAYMOND MASSEY
ROBERT MONTGOMERY
ANNA NEAGLE
GAIL PATRICK
GEORGE RAFT
LUISE RAINER
PAUL ROBESON
ANN RUTHERFORD
JOSEPH SCHILDKRAUT
RANDOLPH SCOTT
JAMES STEWART
LEWIS STONE
MARGARET SULLAVAN
AKIM TAMIROFF
SPENCER TRACY
LORETTA YOUNG
—and many more!

Sponsored by the Motion Picture Producers and Distributors of America, Inc.

Released by
METRO • GOLDWYN • MAYER

All sales profits from this film realized by the Distributors will be donated to war emergency welfare work by the Motion Picture Industry.

THEATRE

(**Above**: *One of the showmanship ads from the successful Williamsport test run.*)

REMEMBER!

The entire cost of making "Land of Liberty" was donated by the organized industry!

(1) Every producer joined in making it.

(2) All sales profits realized are being donated to war emergency work.

(3) All the services of distribution are given free.

(4) Exhibitors are asked for rental only. Exceptional opportunities are yours through live-wire showmanship!

(5) M-G-M is handling distribution on behalf of the industry. Communicate with your M-G-M Branch.

C. C. Pettijohn Hits Chicago Censor Bill

(*Continued from page* 1)

in Pettijohn's statements. Walter Cromwell of the Juvenile Protective Agency of Chicago told the committee there had been fewer cases of juvenile deliquency reported involving motion pictures than almost any other enterprise.

Cites Film Improvement

"Motion pictures today," Pettijohn told the committee, "are far superior artistically, morally, in entertainment value and in every other way than at the time your obsolete, useless and un-American censorship ordinance was passed. While we are all opposed to the censorship of any form of human expression, if you are to continue to have a censorship board in Chicago, we respectfully and unanimously suggest that you continue to let it be conducted as it now is."

The committee will visit censor board headquarters on Wednesday to make a first-hand study of its operations and will make its report to the City Council within the next two or three weeks. The report is expected to include a recommendation exempting newsreels, which are now subject to censorship.

MOTION PICTURE SOUND ENGINEERING

■

The Industry's leading sound engineers prepared this book for you!

547 pages, completely covering every practical method and process in present day sound engineering. Every detail of apparatus and its arrangement is minutely explained and profusely illustrated. Here is the practical answer to the perplexing problems of sound engineering. Order today!

QP

$6.50 POSTPAID

QUIGLEY BOOKSHOP
ROCEKELLER CENTER, NEW YORK

Circuit in Canada Pays Draftee Wages

St. John, N. B., Jan. 13.—In addition to a bonus to all employes of from one to three weeks' pay, according to length of service, Franklin & Herschorn, local circuit, is paying employes who are drafted for army training their regular wages in full. Thus far, the training is for one month only, but indications are for an extension of three or four months.

Stimson Praises Industry Service

(*Continued from page* 1)

missioned as part of the war department plans to use the industry's facilities are S. J. Briskin, major in charge of the film department; Gordon S. Mitchell, W. W. Lindsay, captains; Lloyd T. Goldsmith, D. B. Graybill, Ray Fernstrom, Arthur Ramsey, J. E. Grainger, Winton C. Hoch, first lieutenants; Jules Buck, Milton Sperling, second lieutenants. None is to be called to active duty except in case of full mobilization.

Korda Arrives for U. A. Board Meeting

(*Continued from page* 1)

answer written interrogatories submitted by Goldwyn's attorneys.

Judge Conger yesterday ordered Goldwyn to drop a number of allegations in the second cause of action in the complaint, which demands $2,000,000 damages for alleged U.A. interference with the distribution of "The Westerner." The court ruled the allegations were unnecessary. The court also held that Goldwyn could not seek damages in addition to an injunction in the first cause of action of the complaint.

Para. Realigns Phila. Territories

PHILADELPHIA, Jan. 13.—Charles Malley, veteran Paramount booker here, has resigned to join the A. T. & T. Stanley Given, formerly at the local Columbia exchange, has replaced him. Realignment of territories has Ralph Garman handling the Warner circuit and all key towns; Matthew Judge, Philadelphia and vicinity; Given, southern New Jersey, and Merton Nason, Comerford Publix and all accounts located in Pennsylvania exclusive of Philadelphia and vicinity.

Clurman Joins 20th-Fox

HOLLYWOOD, Jan. 13.—Harold Clurman, organizer and business manager of the Group Theatre in New York, has joined 20th Century-Fox as an associate producer. His last film work was on Walter Wanger's "Blockade."

'U' Transfers Grant

INDIANAPOLIS, Jan. 13.—Wilbur Grant, northern Indiana representative for Universal here, has been transferred to Philadelphia. Frank Reimer succeeds him in the local post.

Exchange Contract Demanded in Albany

ALBANY, Jan. 13.—A contract covering working conditions for local exchange office employes must be signed without delay, branch managers here will be informed. Edward K. Flaherty, representative of the employes, who are members of Local 20940, American Federation of Office Employes, was so instructed to advise the managers following a union meeting at the DeWitt Clinton Hotel today.

The union, an A. F. L. affiliate, authorized Flaherty to take whatever action he deems necessary to obtain compliance in the event the exchanges do not sign promptly. The union's membership includes virtually all office employes of the local exchanges.

Reading Musicians Elect Diefenderfer

READING, Pa., Jan. 13.—The local musicians union has installed Frank L. Diefenderfer as president for his 21st term. George W. Snyder, another veteran, was inducted for his 12th term as treasurer. Other officers are George S. Haller, vice-president; Edward A. Glicker, secretary, and George A. Mack, assistant secretary. At the installation, a committee was appointed to arrange for the union's 40th anniversary celebration to be held in the Abraham Lincoln Hotel in March.

Cleveland Operator License Bill Killed

CLEVELAND, Jan. 13. — The City Council has killed a proposed city ordinance to require all motion picture operators to obtain a license from the city. Building Commissioner William D. Guion explained the purpose of the ordinance was to obtain new income for the city.

An overflow crowd which stormed into the City Council committee hearing protested, however, that the measure threatened to kill the showing of educational films in public schools and by civic organizations.

Baltimore Variety Club Dance Feb. 1

BALTIMORE, Jan. 13.—Third annual dinner and dance of the local Variety Club will be held Feb. 1. Rodney Collier, manager of the Stanley Theatre, is general chairman of the affair. Assisting him are William Hicks, J. Louis Rome, Barry Goldman, Joseph Grant, Edward F. Perotka, Edward A. Kimpel, Edwin A. Sherwood, Bernard Seaman, O. D. Weems, Morton Grant, Howard Burman and Mark Silver.

Producers' Release In Canada Is Set

HOLLYWOOD, Jan. 13. — Producers Releasing Corp.'s 1941 films will be released in Canada and the Maritime provinces by the former Grand National Films, Ltd., which will be reincorporated as Producers Releasing Corp. of Canada and Newfoundland. The company plans to release a minimum of 38 pictures.

Reach Agreement On Birthday Balls

CHICAGO, Jan. 13.—An agreement was reached here over the weekend with the Theatre Authority which will permit actors to appear at the President's birthday balls in Chicago, St. Louis and Cincinnati on Jan. 30. Permission previously had been refused.

The agreement provides for 15 per cent of the gross receipts to be given to the Theatre Authority's welfare fund and for employment of a "standby" show. The agreement was worked out by the Theatre Authority's Midwest branch, which is the clearing house for benefit shows for the Associated Actors and Artistes of America, with the President's Birthday Ball committee.

Publicists' Guild Charges 'Stalling'

A resolution charging major companies with "stalling" in their relations with the Screen Publicists Guild was adopted by the organization at its last regular meeting. Copies of the resolution calling on the companies "to meet with us immediately to arrange for the proving of our majorities," were sent to the presidents of the eight major companies yesterday.

Copies were also sent to Charles Kramer of the National Labor Relations Board and the Screen Publicists Guild of Hollywood.

The S. P. G. filed a demand for designation as collective bargaining agency with the N.L.R.B. several months ago and an informal hearing was held. Membership lists of the union were submitted to the N.L.R.B. but nothing further was done. No date has been set for formal hearings.

Ray-Bill Ordered to Reinstate Union Men

WASHINGTON, Jan. 13.—Ray-Bill Films, Inc., St. Paul, Minn., producers of commercial films, today were ordered by the National Labor Relations Board to cease discouraging merbership of employes in Motion Picture Laboratory Technicians, A. F. L., or any other labor organization and to offer reinstatment with back pay to an employe found to have been discharged in February, 1940, for union activities.

Moss Plans 2nd House

Polk Realty Corp., of which B. S. Moss is president, has disclosed plans for a 2,000-seat theatre and commercial development to be built in the block between 75th and 76th Streets, Jackson Heights, L. I. Moss said plans were filed last week for a similar development in Forest Hills, L. I., which was recently announced.

'Crazy With Heat' Opens Here Tonight

A new musical revue, "Crazy With the Heat," starring Willie Howard and Luella Gear, opens tonight at the 44th Street Theatre. Kurt Kasener is the producer. Clark Lilly directed.

PUT THE SPOTLIGHT ON *Box Office Profits!*

● The successful theater owner realizes how much his profits depend upon good projection. That is why you will find High Intensity projection in the most successful theaters.

The fast moving colorful modern productions demand the abundance of snow white light that can be obtained only from High Intensity projection. Clear, comfortable vision is assured and that means satisfied patrons who come again and again. This repeat business is what builds box office profits.

High Intensity projection is available at low cost to every theater, small and large. With the new "One Kilowatt" arcs even the smallest theater can now afford to cash in on the dividends that will accrue from High Intensity projection light.

Ask your dealer for a demonstration of this modern projection light. See for yourself what a vast difference it makes in your pictures and how little it costs to be modern.

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL", "SUPREX" AND "OROTIP" CARBONS

HIGH INTENSITY CARBON ARC LAMPS

supply all the spectral colors in essentially even balance. That is why they give true color reproduction.

The words "National", "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

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GENERAL OFFICES

30 East 42nd Street, New York, N. Y.

BRANCH SALES OFFICES

New York, Pittsburgh, Chicago, St. Louis, San Francisco

Foods Lead CBS Billings At$13,287,174

Food and food beverages topped the industry classifications in CBS gross billings during 1940, with $13,287,174. Drugs and toilet goods ran second with $8,738,400.

Cigars, cigarettes and tobacco contributed $6,511,499; soaps and household supplies, $3,923,407; lubricants, $2,448,700; confectionery and soft drinks, $1,932,356; automotive, $1,930,687; financial, $954,457; silverware, $302,000; stationery and publishing, $231,403; building materials, $117,076; paints, $39,129; radios and phonographs, $32,995; travel, $17,707; political, $535,406, and miscellaneous, $23,153.

General Foods was the top client with $4,092,519, followed closely by Campbell, $4,044,389. Benton & Bowles was the leading agency with $5,928,983. Ruthrauff & Ryan was second with $4,569,185.

Radio Engineers to Meet on Allocations

WASHINGTON, Jan. 13.—Engineers from countries which are parties to the North American Regional Broadcasting Agreement will meet at FCC offices tomorrow to consider problems which threaten to create station interferences when the new allocations go into effect at the end of March.

FCC officials said today that the problems to be discussed are of an engineering character, but explained that some of them would affect the allocations and might make necessary changes in the frequencies of certain broadcasting stations in this country.

Move Booking Office

MINNEAPOLIS, Jan. 13.—The Pioneer Theatre Co. has removed its booking offices from the St. Louis Park Theatre building in suburban St. Louis Park here, to Des Moines, to reach a more central point among the dozen theatres serviced by the office. Mac Facter is head of the office and will move to Des Moines. Many of the firm's theatres are located in Iowa.

Radio Companies Sued

Adrian J. Flanter has filed suit in N. Y. Supreme Court against Greater New York Broadcasting Corp. and the International Broadcasting Corp., seeking $4,159 damages against the former, and $189 against the latter. He contends the defendants breached an employment contract.

Crooks Receives Daily Poll Award

Richard Crooks, star of the "Firestone Hour," on the program last night over NBC-Red acknowledged his designation as best male classical vocalist in the recent poll of radio editors conducted by *Motion Picture Daily*.

Fly Sees Early End Of Monopoly Probe

WASHINGTON, Jan. 13.—Hope that the long pending monopoly investigation may be brought to an end within the next two or three weeks with the writing of a final report by the FCC, was expressed today by James L. Fly, chairman.

Fly disclosed that, in appearing before the House Appropriations Committee last month at hearings on the FCC budget for the coming fiscal year, he was questioned about the status of the monopoly investigation. The preliminary report, submitted to Congress last June, started hearings before the Senate Interstate Commerce Committee on the reappointment of former Commissioner Thad H. Brown.

Fly said today that he hoped to be able to get the FCC's final word on the report within two or three weeks, but that no decision has been reached on whether it would be sent to Congress.

Charter Four Companies

ALBANY, Jan. 13.—Four theatre incorporations here include: Rhinehook Theatres, Inc., by Sidney F. Cohen, Philip Eisenberg and Ida Cohen, New York; J. J. Theatres, Inc., by Seymour M. Peyers, Sidney Freidberg and Peter A. Lewis; Eaton Theatre Corp., by Marian Schoen, Lilyan Manilla and Gertrude Schorr, New York, and Lekay Amusement Corp., by Samuel K. Goldstein, Meyer B. Goldstein and Shirley Barad, New York.

Canadians Name Wells

TORONTO, Jan. 13.—E. H. Wells has been named secretary-treasurer of the Motion Picture Distributors of Canada, which is under the new presidency of J. P. O'Loghlin, with Col. John A. Cooper, former president, as chairman of the board. Wells has been secretary of the Canadian Film Boards of Trade for a number of years and will continue in that capacity.

Kunitzky in U. A. Post

ST. JOHN, N. B., Jan. 13.—Succeeding George Heiber, promoted to manager of the local United Artists' exchange, as office manager-booker is Sam Kunitzky of St. John. Kunitzky has been a partner of Sam Jacobs in Eastern Films, independent exchange here.

AP to Sell Service To Stations Direct

The Associated Press will drop its present policy of dealing with radio stations only through newspaper members of the AP and will sell its service directly to the broadcasters themselves, it was revealed yesterday. The new setup was authorized by the board of directors during its meeting last week.

The board also declared that a separate organization would be created within the AP for servicing news to radio stations and networks, but details will not be made known until later this week.

Cincinnati Games at New High Last Year

CINCINNATI, Jan. 13. — Charity chance games in the city reached an all-time high in 1940, when the attendance at 2,718 municipally licensed parties totaled 3,147,837. Gross receipts were $2,381,573; prizes distributed amounted to $572,339, leaving net profit of $1,809,233 to the sponsoring organizations, according to records of Police Chief Eugene T. Weatherly.

Comparatively, in 1939 there were 2,259 parties attended by 2,431,861. The gross was $1,924,681, prizes totaled $465,721, and net profit $1,458,959. Average weekly attendance in 1940 was approximately 60,000, against 47,000 in 1939, while average cost per player in 1940 was 57.4 cents, compared with 60 cents in 1939.

Sue Over Screen Credit

Mitchel Parish and Hoagy Carmichael, song writers, have filed a $50,000 suit against 20th Century-Fox alleging they failed to receive screen credit for "Stardust" in the film of that name. The company has filed an answer saying that the contract for the song did not require screen credit.

Messenger Robbed

MINNEAPOLIS, Jan. 13.—A messenger for the Franklin Amusement Co., Fred Berg, was robbed today of about $1,000, the weekend receipts for the Franklin Theatre and two other suburban houses operated by the company.

Seek Permits for 2 FM Stations

WASHINGTON, Jan. 13.—Applications for two more FM staitons have been filed with the Federal Communications Commission, construction permits being asked by WOKO, Inc., Albany, N. Y., for a station to operate on 45,100 kilocycles, covering 7,164 square miles with a population of 922,163, and by Seaboard Radio Broadcasting Corp., Glenside, Pa., for a station to operate on 48,300 kilocycles to cover 9,600 square miles with a population of 2,900,000.

The commission announced it had tentatively set Feb. 28 as the date for a hearing on the conflicting applications of the Park Cities Broadcasting Corp. for a new 940-kilocycle, 500-watt station at Dallas, and Station KRBC, Abilene, for change of frequency from 1,420 to 940 kilocycles and increase of power from 250 to 1,000 watts.

The commission has granted Grenco, Inc., a construction permit for a new 1,420-kilocycle, 250-watt broadcasting station at Greenwood, S. C. The commission also authorized increases in night power from 1,000 to 5,000 watts to Stations KFYR, Bismarck, N. D.; KDYL, Salt Lake City, Utah, and WKBH, La Crosse, Wis.

An application filed by West Publishers, Inc., for a construction permit for a new 610-kilocycle, 1,000-watt station at Houston, Tex., was ordered set for hearing.

Song Writers Organizing; BMI Attacked

(*Continued from page* 1)

use titles, electrical transcriptions, dramatizations, television and numerous other sources of possible revenue now known or hereafter to be discovered are kept by BMI without a division with the writer," Caesar pointed out.

Caesar questioned the ethics or legality of the CBS ownership of Columbia Phonograph Co. and RCA ownership of Victor Talking Machine Co. He declared that BMI has "no right in the publishing business as long as they have a broadcasting parentage. Frankly, we are no match for that kind of competition."

Will Seek Charter

The Song Writers decided to ask for a union charter from the A.F.L. after it discusses the proposal with its Hollywood group. The proposal was made by Billy Rose. A committee of six appointed to draw plans and see them through includes Otto Harbach, Edgar Leslie, Sam Lewis, John Loeb, Rose and Caesar.

Rose declared that this is "the only effective means of meeting the BMI threat, as otherwise the song writers will be at the mercy of publishers who may desert Ascap and to go to BMI." As members of the A.F.L., the union will seek the support of other theatrical unions.

The meeting authorized the S.P.A. to negotiate terms for copyrights with the producers of coin machine films.

Ascap Signs Nine California Stations

SAN FRANCISCO, Jan. 13.—Nine California stations have been signed by Ascap, it was reported today by H. A. Levinson, local Ascap manager. The stations are: KLS, Oakland; KFWB, Hollywood; KGDM, Stockton; KTRB, Modesto; KIEV, Glendale; KPTC, Pasadena, and KFVD, KFSG and KRKD, Los Angeles.

Song Suit Settled

Settlement of the song infringement suit of Mabel Wayne and Neville Fleeson against M-G-M has been filed in N. Y. Supreme Court. Terms of the settlement were undisclosed. The plaintiffs charged infringement of their song, "Betwixt and Between," in, "In Between," sung by Judy Garland.

Trenton Musicians Elect

TRENTON, N. J., Jan. 13.—The local musicians' union, No. 62, has elected the following officers for the year: John E. Curry, president; George Butler, vice-president; Alvah R. Cook, secretary; Frank L. Cook, treasurer, and Peter William Radice, business agent.

Schines Try Stage Show

ROCHESTER, Jan. 13.—Schine's Rialto and Temple tried stage shows this weekend with Jane Autry's Colorado Cow Girls featured. The act played the Rialto Friday night and the Temple Saturday night.

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and
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Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 10 NEW YORK, U. S. A., WEDNESDAY, JANUARY 15, 1941 TEN CENTS

$10 Daily Fee Standard for Arbitrators

May Be Waived, Reduced At A.A.A. Discretion

The standard fee for arbitrators who will hear and decide complaints submitted for arbitration throughout the industry will be $10 per day, it was decided yesterday by the American Arbitration Association.

The fee may be waived or reduced at the discretion of the A.A.A. It will not, however, be increased except in extraordinary cases, it was said, although a maximum daily fee of $50 is permitted under the consent decree arbitration provision.

In determining whether the standard $10 fee shall be waived or reduced, the A.A.A. will be guided by its policy of making arbitration available to all. If accumulated fees in cases requiring lengthy hearings appear to be burdensome to an exhibitor, or tend to discourage the filing of

(*Continued on page* 5)

"Cheers for Miss Bishop"

[Rowland-U.A.]

AGAIN that incurable romanticist, Richard A. Rowland, who arose to fortune on the first tide of the screen, only to share in its ebbs and flows ever since, arrives pristine again with a major picture—"Cheers for Miss Bishop."

Many, if not most, showmen will be a-remembering when "Dick" brought forth, exclusively on his own enthusiasm and ardent hope, that famed "The Four Horsemen of the Apocalypse," so long ago. There is one difference now. Rowland never read the "Four Horsemen," but for the two years since he first read "Miss Bishop," the novel

(*Continued on page* 5)

"VIRGINIA" is reviewed from Hollywood on Page 5. Hollywood production news will be found on Page 9.

Para. Realignment Set for Sales Meet

Realignment of Paramount's sales organization to meet changes imposed by the consent decree will be completed in time for announcement at the company's meeting of district and branch managers at Chicago, Jan. 21 to 23, it was stated yesterday.

Exhibitors Warned Tickets Must Show Admission Prices

WASHINGTON, Jan. 14. — Motion picture exhibitors today were warned by the Internal Revenue Bureau that all tickets sold must show the price of admission conspicuously, regardless of whether they are taxable or tax-exempt, and ticket printers were urged to discourage orders for tickets on which a blank space is left, to be filled in later by the theatre.

There is no penalty attached to the printing of tickets without the price of admission, but such so-called stock tickets may not be used by any theatre without showing the price except under liability to severe penalties, it was pointed out. Since all ticket printers are required to report all orders placed by customers, it is relatively easy task to run down tickets which are sold without having the price imprinted.

FILMS ORGANIZED TO PROMOTE U. S. IN LATIN AMERICA

Nelson Rockefeller, Coordinator, Discloses Broad Program of Studio Cooperation; Whitney Conferring in Hollywood

WASHINGTON, Jan. 14.—Nelson A. Rockefeller, Coordinator of Commercial and Cultural relations between the American Republics, announced today a wide scale program for the use of motion pictures as a medium for promotion of closer relations and better understanding among the American republics.

Rockefeller announced the appointment of Hollywood committee representative of the producers, stars, writers and directors to cooperate in carrying out the program, and detailed initial steps taken to date.

"The motion picture industry," said Rockefeller, "was among the first to organize itself for cooperation with the coordinator's office. In conferences over the past few weeks with John Hay Whitney, director of the motion picture division of the coordinator's office, representatives of the industry have formed cooperating committees to make more effective the whole range of its contribution—in feature films, short subjects, and newsreels."

At the same time, Whitney announced that several features involv-

(*Continued on page* 5)

Jones Giving Up Oriental Theatre

CHICAGO, Jan. 14.—Jones, Linick & Schaefer, it is reported, will soon relinquish the Oriental Theatre. Notice that the lease on the theatre held by J. L. & S. will be terminated because of arrears in rental amounting to $50,000 is reported to have been served by the owners of the structures.

The theatre was recently offered to Balaban & Katz. B. & K. is holding all negotiations in abeyance pending word from the Department of Justice that it may proceed to acquire the house. At a Washington hearing last week. Elias Mayer urged that the theatre not be shut down.

Ascap Ponders Labor Union Or Guild for Its Members

The possibility that Ascap members will form their own guild or union or affiliate with an existing authors' guild in order to meet changed music licensing conditions resulting from the formation of Broadcast Music, Inc., by the major networks, was broached in responsible music quarters yesterday.

Ascap officials admit they see the guild-union plan as an alternative to Federal regulation of both Ascap and the networks-BMI group or a Federal consent decree in the radio-music field. They are not committing themselves to any one plan of possible affiliation, however.

Discussion of the subject followed on the action of the Song Writers Protective Association in approving plans Monday night for the formation of an A. F L. union for its membership, for the same reason.

It was also reported yesterday that informal discussions have been held by Ascap officials with officers of the Authors League of America on the general advisability of Ascap's membership becoming affiliated with that organization.

It was said that representatives of the Authors League also view the ex-

(*Continued on page* 10)

Lee Elected Head Of M. P. Associates

Joseph J. Lee, sales manager at the 20th Century-Fox exchange, yesterday was elected president of the Motion Picture Associates by a margin of 16 votes. He will succeed Jack Ellis of RKO, who, after serving three terms, retired from office. Lee defeated Nat Beier of United Artists, 48 to 64.

Other officers elected are: James Frank, National Theatre Supply, vice-president; Matthew Cahan, incumbent, second vice-president; Saul Trauner, incumbent, treasurer; Moe Fraum, incumbent, recording secretary; Louis Kutinsky, sergeant-at-arms; Ben Abner and Seymour R. Schussel, trustees, and Charles Penser, incumbent, financial secretry. Frank will appoint a board of directors.

The officers will be installed at a meeting Jan. 21 at the Hotel Astor

Fine Gesture

Pittsburgh, Jan. 14.—Before leaving his post as M-G-M exchange manager here for his new district manager position at Kansas City, Burt Bishop asked that the $500 net profit on a testimonial dinner held for him, be given to Variety Club charities instead of being spent on an extra gift for him.

Call Off UA Meeting; To Be Held on Coast

The monthly meeting of the United Artists board of directors which was scheduled for yesterday was postponed indifinitely. A meeting is expected to be held in Hollywood late this month instead.

Maurice Silverstone, Charles Schwartz and Edward C. Raftery are scheduled to leave for the Coast this weekend. Alexander Korda, who arrived this week, will return to the Coast in the next few days.

Arthur W. Kelly, vice-president and general sales manager, will accompany the United Artists contingent West.

Shea Promotes Murphy

Buffalo, Jan. 14.—Robert Murphy, booking manager for the Shea circuit here for five years, has been named city manager at Niagara Falls, N. Y.

Personal Mention

E. K. O'SHEA, Central division manager for M-G-M, will leave today for a visit to branches in Kansas City, Memphis, Oklahoma City, St. Louis and Indianapolis.

•

Leon Netter, Paramount theatre executive, will leave today for Atlanta to confer with Lucas & Jenkins and for Miami to confer with S. A. Lynch. He will return next Tuesday.

•

James R. Grainger, president of Republic Pictures, has returned from extended trip.

•

Alan Corelli, head of the Theatre Authority, is due back from Florida at the end of the week.

•

Otto Bolle, manager in South Africa for 20th Century-Fox, leaves Feb. 1 for his headquarters in Johannesburg after a visit here.

•

Robert Coulter, manager of the Byrd; Allen Brown, manager of the Brookland, and Robert Eagan, manager of the Park, all Richmond houses, are ill with the grippe.

•

Edward Gibley, formerly on the service staff of Loew's Capitol, Washington, is now student manager of Loew's in Richmond, succeeding Peter Stainback.

•

Evelyn Friedl of the Warner Cleveland office is here on a brief vacation.

•

DAVE ROSE, Paramount managing director for England, is scheduled to arrive from the Coast next Monday, en route back to London. He will sail from here Jan. 25.

•

John Boettiger and Mrs. Boettiger of Seattle were visitors at M.P. P.D.A. headquarters yesterday. They are in the East to attend President Roosevelt's inauguration, Jan. 20.

•

George Weltner of Paramount is confined to his home with a cold.

•

Maurice Silverstone, J. J. Milstein, Martin Moskowitz and Hal Horne lunching yesterday at Lindy's (51st St.).

•

Martin Quigley, Joseph Seidelman, Colvin Brown, Sam Shain, Monroe Greenthal and Morris Alin having lunch at the Tavern yesterday.

•

Sol Edwards, Louis Astor, Max Weisfeldt and Lou Weinberg at Lindy's (next to the Rivoli) yesterday for lunch.

•

Maurice Bergman, Oscar A. Doob, Toby Gruen, J. J. Unger, Tom Connors, Russell Holman, Max Dreyfus, Leon Netter and Harry Brandt lunching yesterday at Nick's Hunting Room in the Astor.

•

Stanton Griffis, Morris Ernst, Al Lewin, Sidney Phillips, Arthur Loew, Clayton Bond, Jacob Wilk, Marcus Heiman, Victor Payne Jennings, Robert Nathan, and Dave Blum at Sardi's yesterday for lunch.

Sam Coolick Wins Exploitation Prize

Sam Coolick, in charge of publicity for Loew's East Bronx theatres, has been awarded first prize for his promotion of "Foreign Correspondent" in an exploitation and publicity contest conducted by United Artists among Metropolitan New York circuits.

Judges in the contest were Monroe Greenthal, director of advertising and publicity for U. A.; Oscar A. Doob, advertising and publicity director of Loew's Theatres, and Harry Kosiner, Eastern representative for Walter Wanger.

O'Shea Toastmaster At Party for Martin

Buffalo, Jan. 14.—W. E. J. Martin, dramatic critic for the Buffalo *Courier-Express,* will be honored on the evening of Jan. 27, at a testimonial dinner in the Variety Club rooms. E. K. O'Shea, M-G-M Central division manager, will come to Buffalo for the occasion to be toastmaster. O'Shea was president of the club when Martin first was elected secretary.

Newsreel Parade

THE controversial aid-to-Britain bill is most significant of various important subjects in the new issues. Paramount and RKO Pathe include the first film account of the Greek capture of Koritza. The contents:

MOVIETONE NEWS, No. 37—Willkie endorses Roosevelt policy. War munitions ship destroyed off Australia. Knox tells of Navy reorganization. Army ski patrol maneuvers. Rifle production in Connecticut. New California dam takes shape. Motor boat show in New York. Dogsled races in New Hampshire. Billiard exhibition in Chicago. Bob-sledding at Lake Placid.

NEWS OF THE DAY, No. 235—*Manhattan* on reef off Florida. Aid-to-Britain discussed. Shasta Dam under construction. Air show in Miami. Speed production of rifles in Connecticut. Hialeah opens. Billiard experts give demonstration. Ski championships.

PARAMOUNT NEWS, No. 40—Track meet in Boston. Billiard exhibition. Motor boat show. Windsor at Miami air show. Fashions for men. Dam project under way in California. Defense bill debate. Greeks take Koritza.

RKO PATHE NEWS, No. 40—Greeks capture Koritza. Willkie backs aid-to-Britain bill. *Manhattan* aground off Florida. Huge conveyor belt at Shasta Dam. Farley off to South America. Motor boat show. Windsor at Miami air show. Ski meet in Wisconsin.

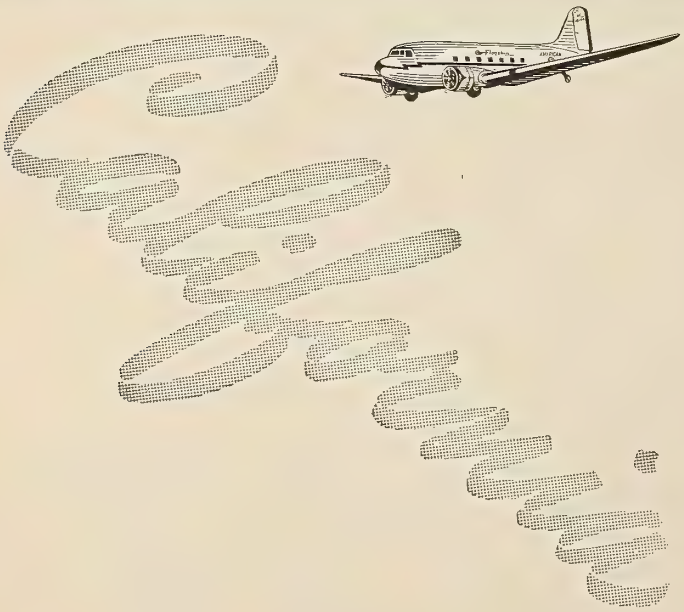
UNIVERSAL NEWSREEL, No. 945—Knox discusses Navy changes. Henry Ford at California plane plant. Air show in Miami. Astoria girls learn defense work. Religious ceremony in Washington. Shasta Dam under construction. *Manhattan* grounded. Motor boat show. Billiard champions in Chicago. Racing at Hialeah.

Loew's Paid Schenck $318,881 for Year

Washington, Jan. 14.—Nicholas M. Schenck, president of Loew's, Inc., during the company's fiscal year ended Aug. 31 last, received $318,881.97, according to a report filed with the Securities and Exchange Commission here today.

The report also showed that during the company's last fiscal year the aggregate amount payable to directors and officers as a group for services in all capacities was $2,220,730.

Stockholders of Loew's will be asked to approve a five-year extension of the present contract with Schenck as president and to reelect the present directorate at a meeting called for Feb. 11.



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M-G-M's "THE PHILADELPHIA STORY"

with RUTH HUSSEY

JOHN HOWARD · ROLAND YOUNG · JOHN HALLIDAY · MARY NASH · VIRGINIA WEIDLER · Screen Play by Donald Ogden Stewart
Based on the Play by Philip Barry · Produced by The Theatre Guild, Inc.
Directed by GEORGE CUKOR · Produced by JOSEPH L. MANKIEWICZ
A Metro-Goldwyn-Mayer Picture

"Boom Town" was the darling of 1940!
"PHILADELPHIA STORY" is the sweetheart of 1941!

Films Will Promote U.S. In Americas

(*Continued from page* 1)

ing Central and South American themes are in production or in preparation. Included are M-G-M's "The Life of Simon Bolivar," to feature Robert Taylor; two 20th Century-Fox films, "The Road to Rio," with Alice Faye and Carmen Miranda, and "Blood and Sand," with Tyrone Power; RKO's "They Met in Argentina," which will introduce a new Latin-American star, and "Rurales," a Mexican story on which Paramount is working.

Several pictures scheduled for production in the near future may be photographed either in whole or in part in Central and South America. A special committee has been formed to investigate production facilities and desirable locales available there, the announcement said.

Expert With P. C. A.

Whitney, who is on the Coast holding conferences with leaders of the industry, said that the M.P.P.D.A. has agreed to appoint an expert on ways of life of the Latin-American countries to serve in the office of the Production Code Administrator in Hollywood. This person will cooperate with producers to insure authenticity in films involving Latin America and to advise on language and historical problems.

Whitney also said that the leading studios have appointed, or will appoint, special representatives who will concentrate on Latin-American production aspects. In certain instances, companies have already sent for representatives in Central and South America to confer on this problem.

Some of the companies plan to send a number of leading performers to Latin America to appear at premieres, the announcement said. Twentieth Century-Fox plans to send Alice Faye to Brazil for the openinig of "The Road to Rio," according to Whitney, and Paramount is contemplating sending Dorothy Lamour on a personal appearance tour and will ask Cecil B. DeMille to arrange his time to include a lecture tour in Latin-American republics.

Newsreels Important

"Increased newsreel coverage will be an important feature of the industry's cooperation with the Government program," Whitney said. Norman Alley, News of the Day (M-G-M) cameraman, who has covered the Far East and Europe, will leave for South America within a few days, and other crews are expected to follow shortly. Pathe is now editing a series of shorts on South America, the first of which, "Eyes on Brazil," will be released next month.

"The program outlined by the industry is to be based solely on the presentation of entertainment films," said Whitney. "Our American screen has always attracted the greatest audiences in the world because of its freedom of expression and expression of freedom. The producers feel that through sympathetic study of the cultural bonds existing among the American republics, elements of screen entertainment heretofore undiscovered or not fully realized can be found and brought to life on the screen and this, we know, will do much to create a better understanding among the nations of the hemisphere."

Freeman Heads Committee

In announcing appointments to the committee, Rockefeller said that the executive committee, which will be headed by Y. Frank Freeman, president of the Association of Motion Picture Producers, will direct the program to be undertaken in cooperation with Whitney, representing the coordinator's office.

Serving on the executive committee are: Edward Arnold, Sam Briskin, Frank Capra, Sheridan Gibney, Samuel Goldwyn, Louis B. Mayer, George J. Schaefer, David O. Selznick, Walter Wanger, Cliff Work and Harry M. Warner.

Personnel of the cooperating committes as announced by Rockefeller, follows:

Committee on visits to South America: Joseph Schenck, chairman; Edward Arnold, Kenneth Thomson, Benjamin Thau.

Committee on South American film facilities: Sam Briskin, chairman; E. J. Mannix, Sol Wurtzel, Major Nathan Levinson, Keith Glennan, Sol Lesser, J. D. McDonough, William Koenig.

Committee of the Academy of M. P. Arts and Sciences: Walter Wanger, chairman; Frank Capra, Major Levinson, James Stewart, Robert Riskin.

Short subjects committee: Gunther Lessing, chairman; Jack Chertok, Gordon Hollingshead, Hugh McCollum.

Art direction committee: Cedric Gibbons, chairman; Richard Day, William Cameron Menzies, Jack Otterson.

Committee on story material: Sheridan Gibney, chairman; Kenneth MacKenna, Milton Krims, Kenneth MacGowan.

Hollywood Review

"Virginia"

(Paramount)

Hollywood, Jan. 14

"VIRGINIA," a Paramount production produced and directed by Edward H. Griffith in Technicolor, is a charming, although lengthy, story of the modern South. It deals with two principal characters, a woman born in the South but raised in the North, and a man who, though impoverished, keeps up the cherished traditions of generations long dead.

For conflict there is their divergence of views. His wife, never seen, prevents their engagement but her death brings it about. Despite her many affairs with other men, which is reported in dialogue, he clings to the marriage because of their little daughter. The film ends with the pair free to marry, his freedom having been assured by his wife's death and hers, when her fiance renounces their bargain.

Fred MacMurray and Madeleine Carroll are the principal players. Their work, however, is shadowed by that of Stirling Hayden, a film newcomer, who does an excellent job, and also by that of Carolyn Lee, a tiny girl who completely captured the preview audience. Others in the cast are Marie Wilson, Tom Rutherford, Helen Broderick and Paul Hurst.

In addition to being producer and director, Griffith also collaborated on the story with Virginia Van Upp, the latter doing the screenplay.

There are several indelicacies in the film, which rates as adult entertainment.

Running time, 110 minutes. "A."*

VANCE KING

"A" denotes adult classification.

$10 Daily Fee Standard for Arbitrators

(*Continued from page* 1)

complaints, the A.A.A., it was said, would exercise its right to lower or waive the standard fee.

In general, however, that fee will apply to all types of cases and will prevail in all of the 31 industry arbitration boards. Arbitrators' fees will, of course, be in addition to the established filing fee of $10.

After considerable study the A.A.A. adopted the standard $10 fee in preference to a sliding scale of fees.

Warburg Comments

Commenting upon the establishment of the standard fee for arbitrators, Paul Felix Warburg, president of the A.A.A., said: "The Association has followed its principle that arbitration should be simple and inexpensive. From its own experience it has found that the best men of the country are obtainable as arbitrators on the basis of an honorarium.

"We feel that the $10 fee and the provisions for waiver or reduction will work to the good of the exhibitor. We do not want any exhibitor to lose his right to arbitrate because of prohibitive cost of arbitrators' fees. In appointing the arbitrators we are finding that they are eager to help the Association make a success of the consent decree."

Rudolph de Cordova Dies

LONDON, Jan. 14.—Rudolph de Cordova, 81, actor and dramatist, who wrote the film version of "Romeo and Juliet," is dead here. Among the survivors are two brothers, Leander de Cordova, a director in Hollywood, and Rienzi de Cordova, and a sister, Mrs. Arthur J. Sanville.

"Cheers for Miss Bishop"

[Rowland-U.A.]

(*Continued from page* 1)

by Bess Streeter Aldrich, he has been living, believing, dreaming the story and its picture. His faith is not too often nor too lightly given.

"Miss Bishop" is romance, basic, human, as sad and merry as life itself may be. It is a tale of a schoolgirl who became a schoolmarm, or rather a college teacher in the great Midwest, where swift currents of impulse, temptation, ambition and passion flowed about, while she held her embattled, sometimes embittered, position as a bird holds place in the wind.

It is a story, too, of ideals and devotion, poignantly told, but always with restraints that keep it believable, and rather like its heroine, never preaching and proclaiming.

The direction is in the best manner of Tay Garnett. The title role and the lion's share of the honors of attainment go to Martha Scott, who is co-starred in the billing with William Gargan, who does exceedingly well opposite in the role of the man who waited, forever. Feature credits include Edmund Gwenn, Sidney Blackmer, Dorothy Peterson, Sterling Holloway, Donlard Douglas, Marsha Hunt and Lois Ransom. Also if you look sharply, and you remember, you'll be seeing again William Farnum, who came to fame way back yonder with "The Spoilers." The screen adaptation was by Stephen Vincent Benet, and the screenplay by Adelaide Heilbron and Sheridan Gibney.

Cheers for Dick Rowland. You'll be hearing. Anybody can see it.

Running time, 95 minutes. "G."*

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* "G" denotes general classification.

Lincoln Turns Out For 'Miss Bishop'

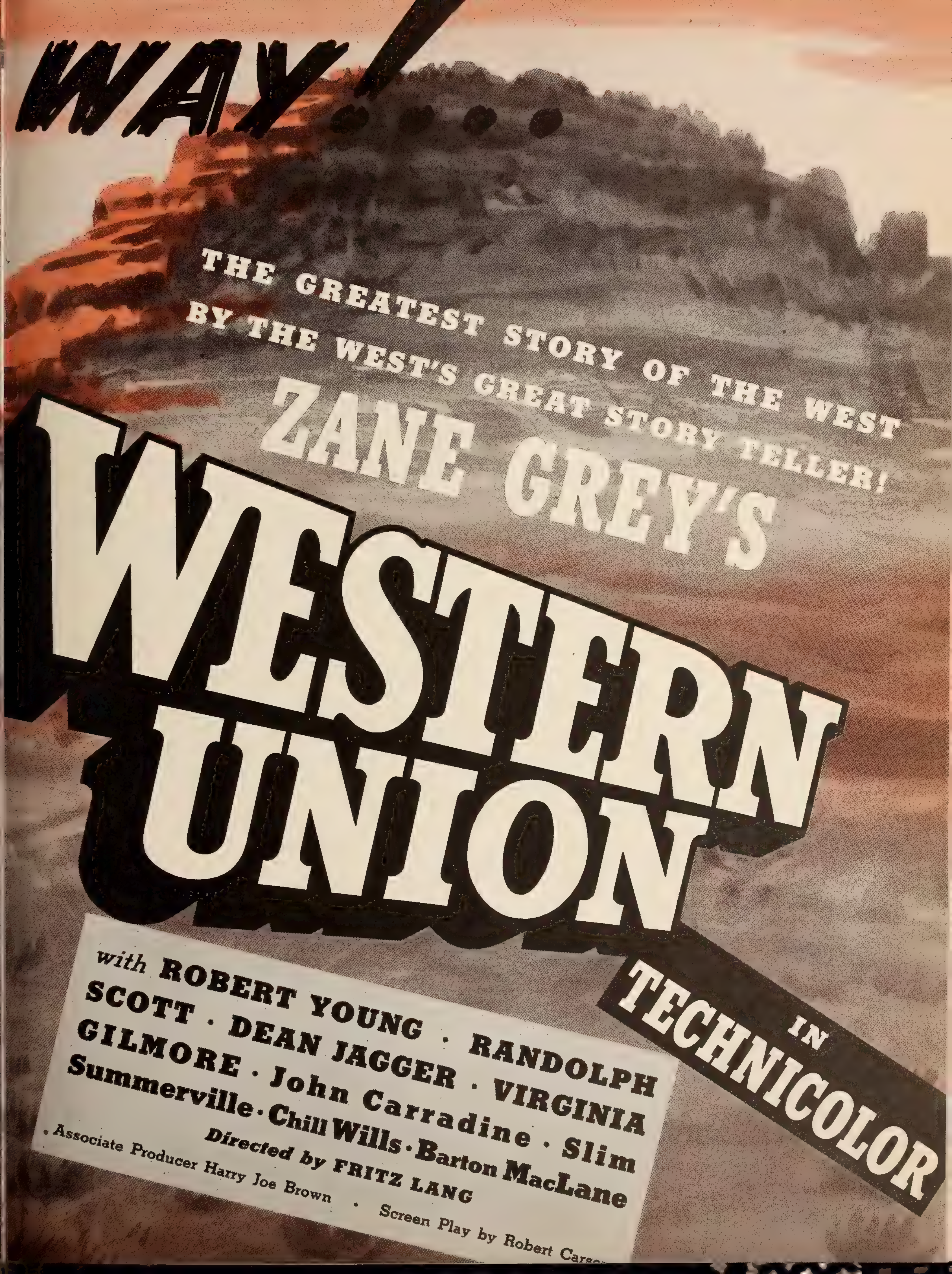
LINCOLN, Neb., Jan. 14.—This Nebraska city had its first film premiere tonight when Richard A. Rowland's "Cheers for Miss Bishop," released by United Artists, opened at the Stuart, Nebraska and Lincoln theatres.

The premiere followed a full day of festivities in which a Hollywood delegation headed by Rowland took part. Personal appearances were made at the three houses, with Governor Griswold introducing the celebrities. There were several radio programs.

In the morning there was a reception at the Nebraska University Coliseum, with a capacity crowd of 10,000, including students and school children excused from classes for the day.

Tay Garnett, director of the film, after two lectures at the University yesterday, became ill with the flu and is confined to his hotel room under a doctor's care.

ON ITS
20th CENTURY FOX



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Directed by **FRITZ LANG**

Associate Producer Harry Joe Brown · Screen Play by Robert Carso

Pa. Theatres Face Chance Games Tax

HARRISBURG, Pa., Jan. 14.—A provision requiring the licensing of all theatre owners who operate chance games is included in a bill introduced in the Pennsylvania Senate by Senator John J. Haluska. Revenue from the license fee would be added to relief funds administered by the Department of Public Assistance.

The fees under the bill would be $600 in towns of over 3,000 population; $1,200 in towns from 3,000 to 10,000; and $1,600 in cities over 10,000 population. The owner would be required to deduct 15 per cent of the value of the prize given and turn that sum over to the county treasury, who would hire an additional employe to supervise the collection. The measure also would tax owners of all places where chance games are played for "purposes of profit" $25, but a special $1 license would be granted to charitable or church organizations.

Harley and Jarratt Arrive by Clipper

Francis L. Harley, 20th Century-Fox managing director in England, and Arthur Jarratt, head of Gaumont-British Theatre Circuit, arrived in the U. S. by *Clipper* yesterday, almost eight hours after the arrival of the *Excalibur,* the ship they had left at Bermuda in the hope of making faster time to New York.

Harley is here for home office conferences and a vacation. He will leave for Florida in a few days. Jarratt, who is a commander in the Royal Navy and head of the Admiralty Film Service, is here on an official and confidential mission. The two left Lisbon on the *Excalibur* and debarked at Bermuda to take the *Clipper* the remaining distance. *Clipper* was delayed by bad weather, however, and arrived in the United States almost eight hours after the *Excalibur* docked in Jersey City yesterday.

Produce Despite Raids: Jarratt

BALTIMORE, Jan. 14.—Arthur Jarratt, arriving today on the Bermuda Clipper, said things are "very calm" in England now. "There are quite a few air raids," he said, "but they haven't interfered with making pictures. People take them so calmly that we can shoot films in streets intermittently under German air bombardment when bombers are not actually overhead."

Pielow Is Honored At Dinner in Albany

ALBANY, Jan. 14.—Upstate distributors and theatre men, both circuit and independent, paid tribute last night to Ralph Pielow, new M-G-M branch manager in New York, at the DeWitt Clinton Hotel. Approximately 200 were present.

Speakers included E. K. O'Shea, M-G-M Central division manager; Louis Schine, Schine Circuit; Mike Kallet, Kallet Circuit; Si Fabian; M. A. Silver, Warner Theatres zone manager; Jack Bowen, M-G-M, New York district manager; Maurice Wolf, Boston district manager; Herman Ripps, Pielow's successor as branch manager here, and Clayton Eastman of Paramount. Col. James Healy was master of ceremonies.

U. S. Aids Industry on Brazil Tax

WASHINGTON, Jan. 14.—United States diplomatic representatives in Rio de Janeiro are engaged in "talks" with the Brazilian Government regarding the proposed eight per cent additional tax on motion picture companies, but no formal protest has been lodged with the Government there, the State Department indicated today. The Brazilian measure is intended to be retroactive for five years.

The new tax first was broached last Fall and the American companies at that time sought the aid of the State Department in opposing it. Under instructions from Washington the matter was taken up by the Embassy in Rio, and while officials here refused to comment on the situation, there were indications that they were optimistic.

Upswing Here for Good Films: Wobber

HOLLYWOOD, Jan. 14.—Film theatre attendance generally is on the upswing, particularly in cities such as Pittsburgh, Youngstown and San Diego, where heavy national defense expenditures are being made, Herman Wobber, 20th Century-Fox director of distribution, said here today.

He said that with the reemployment of thousands, the industry may expect better times.

"Only better films are participating in the improved box-office conditions, however," he said, "while poor pictures are still getting poor business."

Wobber is here for studio conferences of company executives. He said some readjustment in the distribution organization will be made to meet conditions brought about by the Federal consent decree.

Wobber said 20th Century-Fox is concentrating on intensive selling of this season's product in order to obtain a greater financial backlog for next season's program.

Myers, Samuelson Address Pa. Allied

PHILADELPHIA, Jan. 14.—Abram F. Myers, National Allied chairman of the board and general counsel, and Sidney E. Samuelson, business manager of Eastern Pennsylvania Allied, were the principal speakers at the regional organization's annual meeting here today. David E. Milgram was chairman.

Myers discussed the Federal consent decree in its relation to exhibitors and arbitration. Samuelson, among other things, urged full cooperation with the national defense program.

Milton Rogasner's report for the nominating committee selecting the board of governors was approved unanimously. Three-year terms were voted for David E. Milgram, Thomas Lazarick and Columbus Stamper, representing Philadelphia County, and George J. Riester, Shamokin, and Henry Sork, Schuylkillhaven, for upstate Pennsylvania.

Alternate governors for one-year terms are David Broadstein, Reading; Melvin Koff, Darby; William Spiegel, Philadelphia, and Harry Freed, Ardmore. The governors will meet later to appoint the secretary-treasurer and business manager. The report of Secretary E. E. Gregory, Treasurer Ben Fertel and Samuelson were approved. The meeting was attended by 54 members representing more than 100 theatres.

Change Feature Time

The RKO 81st Street Theatre on Jan. 23 will start the last complete show with the main feature at 9 P.M.

'Neighbor' Strong in Buffalo with $18,500

BUFFALO, Jan. 14.—Long periods occasioned by new shows during the holidays brought large grosses. "Comrade X" and "Jennie" were strong at the Great Lakes with $18,500. "Love Thy Neighbor" and "Texas Rangers Ride Again" took $18,700 at the Buffalo.

Estimated takings for the week ending Jan. 9:

"Love Thy Neighbor" (Para.)
"Texas Rangers Ride Again" (Para.)
BUFFALO—(3,489) (35c-55c) 9 days and midnight show. Gross: $18.700. (Average, $12.000)

"Comrade X" (M-G-M)
"Jennie" (20th-Fox)
GREAT LAKES—(3,000) (35c-55c) 10 days and midnight show. Gross: $18.500. (Average, $7,500)

"Santa Fe Trail" (W. B.)
"Michael Shayne, Private Detective" (20th-Fox)
HIPPODROME—(2,100) (30c-50c) 9 days, 2nd week, and midnight show. Gross: $9.200. (Average, $6,800)

"No, No, Nanette" (RKO)
"I'm Still Alive" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 9 days. New Year's Eve midnight show: A Night at the Moulin Rouge on stage. Gross: $12,300. (Average, $7.500)

"Arizona" (Col.)
"I Can't Give You Anything But Love" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 9 days and midnight show. Gross: $10.000. (Average, $6,300)

Seek New Sunday Ballot in Pa. Town

PITTSBURGH, Jan. 14.—A special vote may be held in suburban Rochester, Pa., to determine the Sunday film question, because of petition from the Rochester Amusement Co., claiming the Nov. 5 referendum was conducted "negligently and carelessly." Sunday pictures lost then by 87 votes.

Cause for the exhibitor complaint was the testimony of election officials that Sunday film ballots were dropped in box with numbered corners still attached, allegedly indicating that someone had voted in wholesale lots instead of by the customary one-vote-per-person ballot.

Donaldson Honored At New Haven Dinner

NEW HAVEN, Jan. 14.—Friends and associates turned out in force tonight at a testimonial banquet honoring Thomas G. Donaldson, New Haven branch manager for M-G-M, who has been promoted to head the Boston exchange. Maurice N. Wolf, M-G-M district manager in Boston, was master of ceremonies. Harry F. Shaw, Loew-Poli division manager, and others spoke.

Flu Closes Theatre

HAYSI, Va., Jan. 14.—The influenza epidemic, which is very severe in this section, has forced Vernon Carpenter to close the Haysi Theatre.

BillboardRegulation Is Urged by Lehman

ALBANY, Jan. 14.—Gov. Herbert H. Lehman's annual message to the New York State legislature today urged regulation of billboards along state highways to preserve scenic beauty and increase safety.

The Governor also suggested the extension of regulations prohibiting discrimination in employment because of race, color or creed to all business affecting the public interest. Several bills have been introduced in past years to prevent discrimination in places of amusement and the like, but they always have been killed.

Hays Considering Wheeler's Protest

Consideration is being given to Senator Burton Wheeler's letter to Will H. Hays, M.P.P.D.A. president, which threatened the industry with regulatory legislation for what the chairman of the Interstate Commerce Committee termed its "unbridled propaganda for war," it was stated at M.P.P.D.A. headquarters yesterday.

The letter was not received until yesterday, it was said, and pending the consideration being given it no decision has been made as to whether or not a formal reply will be made.

The Senator's letter was discussed informally at a meeting of the M.P.P.D.A. board of directors yesterday but did not come before the board as regular business.

The board meeting was devoted almost entirely to further discussion of problems associated with the allocation among the eight major companies of the remittable British revenues.

To Open Paralysis Campaign Tomorrow

Nicholas M. Schenck, president of Loew's and national chairman of the "March of Dimes" drive issued the following statement yesterday:

"On the eve of launching the Infantile Paralysis Fund drive in the New York-New Jersey area, may I extend my sincere thanks and congratulations to the exhibitors who have so heartily joined with the Motion Picture Theatres' Committee in this fine enterprise. The response has been exceptional. The great majority of the 1,187 theatres in the area have pledged their whole-hearted support.

"Those who have neglected to do so up to now, still have time to join the 'March of Dimes.' A phone call to committee headquarters will bring all the necessary materials—collection-boxes, buttons, etc."

Reynolds to Appear With Short at Strand

Quentin Reynolds, London correspondent for *Collier's* and commentator on the British Government subject, "Christmas Under Fire," to be released by Warners, will appear at the Strand on Broadway for two weeks, beginning Jan. 24, in conjunction with the showing of the film.

'Santa Fe' Hits Fine $28,400, Philadelphia

PHILADELPHIA, Jan. 14.—Following the holiday week, with good weather, business continued strong. "Santa Fe Trail" was the leader, giving the Fox an excellent $28,400 and "Escape to Glory," with vaudeville, gave the Earle a big $22,000.

Estimated takings for the week ending Jan. 8-10:

"The Thief of Bagdad" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $6,600. (Average, $9,000)

"Seven Sinners" (Univ.)
ARCADIA—(600) (35c-46c-57c) 7 days, 3rd run. Gross: $3,200. (Average, $2,600)

"Kitty Foyle" (RKO)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $16,200. (Average, $13,000)

"Escape to Glory" (Col.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Humphrey Bogart, Ozzie Nelson's orchestra, Harriet Hilliard, Roseanne Stevens, Mayo Methot and the Ghezzi Brothers. Gross: $22,000. (Average, $14,000)

"Jennie" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Reggie White, Herman Timberg, Sr., with Judie Kelly, Marty May, The Three Ryans and Evelyn Farney. Gross: $6,700. (Average, $6,900)

"Santa Fe Trail" (W. B.)
FOX—(3,000) (35c41c-46c-57c-68c) 7 days. Gross: $28,400. (Average, $13,000)

"Second Chorus" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 9 days, 2nd run. Gross: $5,200. (Average, $3,000)

"Four Mothers" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 8 days, 2nd run. Gross: $3,400. (Average, $4,500)

"North West Mounted Police" (Para.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 2 days, 3rd week. Gross: $4,100. (Average, $14,000)

"Chad Hanna" (20th-Fox)
STANTON—(1,700) (35c-46c-57c) 11 days. Gross: $9,300. (Average, $4,500)

'Santa Fe' Tallies $16,000, Milwaukee

MILWAUKEE, Jan. 14.—Grosses were up generally due to the two extra playing days because all first runs, except the Riverside, started new shows on New Years. "Santa Fe Trail" and "South of Suez" turned in a $16,000 gross at the Warner.

Estimated takings for the week ending Jan. 9:

"Comrade X" (M-G-M)
"Hullabaloo" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 9 days. Gross: $12,800. (Average, $5,500)

"Love Thy Neighbor" (Para.)
"Murder Over New York" (20th-Fox)
PALACE—(2,400) (30c-40c-55c) 9 days. Gross: $6,800 (Average $4,000)

"The Lone Wolf Keeps a Date" (Col)
RIVERSIDE—(2,700) (33c-44c) 7 days. Stage: Ted Weems. Gross: $13,600 (Average, $6,500)

"Second Chorus" (Para.)
"Chad Hanna" (20th-Fox)
STRAND—(1,400) (30c-40c-55c) 9 days. Gross: $2,600 (Average, $1,500)

"Santa Fe Trail" (W.B.)
"South of Suez" (W.B.)
WARNER—(2,400) (30c-40c-55c) 9 days. Gross: $16,000 (Average, $4,500)

6 M. C.'s for Photo Ball

Six masters of ceremonies, Harry Hershfield, Milton Berle, Henny Youngman, Ole Olson, Chic Johnson and Ed Sullivan, will conduct the show at the twelfth annual Press Photographers Association ball at the Hotel Astor, Feb. 14.

Para. Studio Benefits Set For Employes in Service

Holywood, Jan. 14.

PARAMOUNT studio employees who are drafted or enlist under the Selective Training Service Act will be guaranteed a continuation of their group insurance policies at studio expense, re-employment upon their return without loss of seniority and six weeks' added pay not to exceed $600, according to Y. FRANK FREEMAN, vice-president in charge of studio operations.

Employes paid either on a weekly or hourly basis will benefit from the added pay allowance, which will be paid in 12 weekly installments after their induction into the service. Time spent in the armed forces will be counted as time spent in the service of the company.

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David Hempstead, RKO producer, has taken an option on Nina Federova's "The Family" as his next production. . . . Charles Ambrose, novelist, planed in over the weekend to join John Francis Natteford and Luci Ward on the Producers Corp. of America writing staff. . . . Frank Lloyd has signed Phyllis Kennedy for a role in "The Lady from Cheyenne" at Universal.

• •

ELLEN DREW has been given the feminine lead in Paramount's "The Night of January 16," AYN RAND play which was produced on Broadway by A. H. WOODS. She will appear opposite ROBERT PRESTON. SOL C. SIEGEL will produce the film . . . SHIRLEY ROSS has been given a term contract by Warners . . . RKO has borrowed ROBERT CUMMINGS from Universal to play opposite JEAN ARTHUR in "The Devil and Miss Jones," which SAM WOOD is directing.

• •

FAY BAINTER goes into the cast of "Love Crazy," MYRNA LOY-WILLIAM POWELL story at M-G-M . . . TOM TYLER gets the title role in Republic's serial, "The Adventures of Captain Marvel," from the Fawcett cartoon strip. Others in the cast are FRANK COGHLAN, JR., WILLIAM BENEDICT, ROBERT STRANGE, GEORGE PEMBROKE and JACK MULHALL. . . . BOB EVANS, young colored dancer, has been given an important role in Universal's "The Flame of New Orleans." . . . CHARLES BUTTERWORTH and JERRY COLONNA will support JUDY CANOVA in "Sis Hopkins" at Republic.

• •

"Gangsters in Uniform" has been set as the title of AL ROSEN'S forthcoming production at Columbia, formerly titled "This Too Shall Pass." The leads are not set, but the support includes ALBERT BASSERMAN, ELSA BASSERMAN, PAUL LUKAS, JOSEPH SCHILDKRAUT, ALAN BAXTER, ERIC VON STROHEIM, LIONEL ROYCE and DWIGHT FRYE. ALFRED ZEISLER and LEE GARMES will co-direct, with GARMES also acting as cinematographer. . . C. AUBREY SMITH has been set for M-G-M's "Free and Easy." Paramount has purchased "Joan of Arkansas," story by DAVID GARTH laid in the hillbilly country.

• •

Monogram has signed the TENNESSEE RAMBLERS, hillbilly orchestra, of Charlotte, N. C., to appear in "Riding the Cherokee Trail," starring TEX RITTER. . . . JANE WYMAN'S first picture following her return to Warners will be "Highway 99." . . . M-G-M has given IAN HUNTER a term contract and a leading role in "Dr. Jekyll and Mr. Hyde." . . . SAM KATZMAN has signed JOAN BARCLAY for "Air Devils," "East Side Kids" picture at Monogram. . . . "The Flight Patrol" has been set as the final title on the Warner picture, formerly called "Eagle Squadron." It deals with the Royal Air Force.

Hanson, Friedman Win Metro Contest

Roy E. Hanson of the Jefferson Theatre, Goshen, Ind., and Percy Friedman, Yeadon Theatre, Yeadon, Pa., were the first prize winners in the M-G-M national independent exhibitors' exploitation contest. The contest opened Sept. 1, 1939, and closed Nov. 1, 1940.

Hanson won for his contest on "Joe and Ethel Turp Call on the President," in the first-run classification, and Friedman for his campaign on "The Women," in the classification for subsequent run houses.

In the first-run group, Rex Williams, Elco Theatre, Elkhart, Ind., for "Judge Hardy and Son," took second place, and George Limerick, Aztec Theatre, Enid, Okla., for "Another Thin Man," captured third position.

In the subsequent run division, second place went to Morrie Parfrey, Vogue Theatre, East Chicago, Ill., for "Northwest Passage." Third place was taken by Jack Albertson, Indiana Theatre, Indiana Harbor, Ind., for "Young Tom Edison."

'Kitty Foyle' Omaha Hit, Taking $7,100

OMAHA, Jan. 14.—"Kitty Foyle" drew $7,100 at the Brandeis, and "Love Thy Neighbor" grossed $9,800 at the Omaha. The weather clear and cool.

Estimated takings for the week ending Jan. 8-9:

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $7,100. (Average, $4,000)

"Love Thy Neighbor" (Para.)
"Youth Must Be Served" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $9,800. (Average, $6,000)

"Chad Hanna" (20th-Fox)
"Charter Pilot" (20th-Fox)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,600. (Average, $7,200)

Charter Two Companies

DOVER, Del., Jan. 14.—Two companies formed here are: Midwest Theatres, Inc., incorporated by R. F. Lewis, Walter Lenz and L. H. Herman of Wilmington, and Rubien, Inc., by Edwin E. Lindgren, Thomas A. McCarthy and Joseph A. Denham of New York.

Production Up With 38 Films Now Shooting

HOLLYWOOD, Jan. 14.—Thirty-eight pictures, nine more than last week's total, were before the cameras this week, as two finished and 11 started. Twenty-six are being prepared, and 67 are being edited.

The tally by studios:

Columbia

In Work: "Penny Serenade," "The Lone Wolf Takes a Chance."
Started: "They Dare Not Love" and untitled Ellery Queen story.

Globe

In Work: "Pot o' Gold."

M-G-M

In Work: "Roosty," "Billy the Kid," "Rage in Heaven," "Andy Hardy's Private Secretary," "The Trial of Mary Dugan," "Free and Easy."

Paramount

In Work: "Las Vegas Nights," "One Night in Lisbon.
Started: "Caught in the Draft."

RKO

In Work: "They Met in Argentina," "The Devil and Miss Jones," "Show Business."

Republic

In Work: "Two Gun Sheriff," "Prairie Pioneers," "Citadel of Crime."

Roach

In Work: "Broadway Limited."

20th Century-Fox

In Work: "The Outlaw," "Dead Men Tell," "Ride on, Vaquero," "A Very Young Lady."
Started: Blood and Sand."

Universal

Finished: "Buck Privates."
In Work: "Nice Girl."
Started: "Model Wife," "The Flame of New Orleans," "The Lady from Cheyenne," "The Man Who Lost Himself."

Warners

Finished: "She Stayed Kissed."
In Work: "Thirty Days Hath September," "Miss Wheelwright Discovers America," "Winged Victory," "The Sea Wolf."
Started: "The Bride Came C.O.D.," "Singapore Woman," "Strange Alibi."

"Chorus" New Haven Winner With $7,500

NEW HAVEN, Jan. 14.—"Second Chorus," dualled with "Murder Over New York" at the Paramount, grossed $7,500. "Comrade X" and "Jennie" took $10,500 at the Loew-Poli. The weather was good.

Estimated takings for the week ending Jan. 9:

"Arizona" (Col.)
"Ellery Queen, Master Detective" (Col.)
COLLEGE—(1,499) (39c-50c) 8 days, 2nd week. Gross: $3,000. (Average, $2,200)

"Comrade X" (M-G-M)
"Jennie" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 8 days. Gross: $10,500. (Average, $8,000)

"Second Chorus" (Para.)
"Murder Over New York" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 8 days. Gross: $7,500. (Average, $4,000)

"Santa Fe Trail" (W. B.)
"She Couldn't Say No" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 8½ days. Gross: $7,500. (Average, $5,000)

Ascap Ponders Labor Union For Members

(*Continued from page* 1)

istence and sponsorship of BMI with misgivings, fearing that it may extend its operations to include an exclusive source of radio dramatizations and literary work to the possible detriment of Authors League membership.

While the proposal admittedly is being given serious consideration within Ascap, the idea has not progressed far enough for details of the plan to be known. It is not known, for example, whether Ascap's publisher members would be included in the membership of the new guild or union along with authors and composers, nor it is known whether a new union is to be preferred to affiliation with an existing union or guild. It is conceded, however, that the new organization would control the licensing of performing rights to the works of members since, it is said, that function would be the basic reason for the organizational change.

BMI Permits 'Dimes' Broadcast on WMCA

BMI yesterday gave special permission to WMCA to broadcast Eddie Cantor's "March of Dimes" program which the networks feature annually as a contribution to the President's Birthday celebration for the benefit of the National Foundation for Infantile Paralysis. There was some question about carrying the program on WMCA as the broadcast will feature only BMI music and WMCA is an Ascap signed station.

Bowl Via Telegraph

RKO's home office and studio bowling teams will meet in a match tomorrow evening conducted via telegraph. The Coast team includes Harold Lloyd, Gaylord Lloyd, Bud Hilton, Fred Christensen and Richard Watson. The home office group includes Warren Angus, Herbert McEntee, James Mulhall, Harold Espen and Zack Taylor.

Joins News Syndicate

John McGrail, formerly with the Hays office in Hollywood, has joined the Fox Features Newspaper Syndicate as promotion manager.

Foreign Stations' Gross Not Taxable

Washington, Jan. 14.—The Board of Tax Appeals today held that revenues derived by a foreign broadcasting station from advertisers in the United States do not constitute income from work or services performed in this country and so are not taxable. The decision was rendered in the case of the Piedres Negras (Mexico) Broadcasting Co., from which the Internal Revenue Bureau sought to collect $90,036 income and excess profits taxes for 1936 and 1937.

Off the Antenna

EXPERIENCES with television set sales during the past year have definely established the need for larger screens in home receivers, according to Allen B. DuMont, president of the Allen B. DuMont Laboratories, a Paramount affiliate. DuMont asserted that efforts to cut costs of home sets by using smaller screens has been unsuccessful and that a screen of at least 14 inches in diameter is needed. Actually, the DuMont de luxe console has a screen 20 inches in diameter.

DuMont said that a good start in television broadcasting can be made with an investment of as little as $25,000. For the average city, according to DuMont, a 50-watt video and audio transmitter is sufficient provided the transmitting aerial is at least 250 feet high. The film pickup, camera and associated equipment round out the requirements, all of which can be had on the $25,000 budget, according to DuMont.

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Program News: *Stan Shaw, who conducts "Milkman's Matinee" over WNEW, yesterday received a three-year renewal of his contract. Shaw, who started the program in August,* 1935, *now has* 12 *sponsors. . . . Raymond Paige, whose "Musical Americana" show goes off NBC-Red tomorrow despite a rating over* 10, *will conduct his* 61*-piece band on a guest appearance on the Fitch "Bandwagon" Sunday. . . . Raymond Gram Swing, Mutual commentator, will drop his Thursday broadcasts beginning tomorrow in order to take on a newspaper assignment for the London* Sunday Express. *Harold M. Fleming, financial writer, will substitute. . . . Marlin Firearms Co. will sponsor* 100*-word announcements on "Rising Son" over WABC Tuesdays, Thursdays and Fridays, beginning tomorrow.*

• • •

WOR, which has adopted the slogan "71 on Your Dial," has received the call letters W71NY for its FM station. The call letters refer, of course, to the fact that it is located in New York and is on the 47,100 frequency. The numbers for all FM stations are determined by dropping the first four and the last two zeros.

• • •

Seven of the nation's outstanding bands have been signed for the Army post pickups on "Your Hit Parade" heard over CBS Saturdays at 9 P.M. The bands include those of Charlie Barnet, Jack Teagarden, Ozzie Nelson, Tommy Tucker, Sammy Kaye and Jan Savitt.

• • •

Purely Personal: *Alois Havrilla, announcer on "Double or Nothing" over Mutual, will do the commentary for three issues of Universal's "Stranger Than Fiction." . . . Dick Gilbert, conductor of several shows on WNEW, will lecture on "Cultural Values of Music on the Air" at Queens College March 7. . . . Lyn Murray, Fredda Gibson and Jack Leonard will be featured on "Composer's Corner" over CBS which starts Sunday at 2:35 P.M. . . . J. R. Poppele, WOR chief engineer, has been appointed a member of the N.A.B. broadcasters' engineering executive committee. . . . Jane West, author of "The O'Neills" script, will take a role in the cast tomorrow. . . . Henry Levine, conductor of the Dixieland Octet on "Chamber Music Society of Lower Basin Street," was married secretly last Saturday to Vivian A. Brown, daughter of A. A. Brown, assistant editor of Fox Movietone News. He left after Monday's show for a honeymoon trip to Atlantic City. . . . Howard Nussbaum NBC director, will leave shortly for a Miami and Havana vacation.*

Scophony Television Demonstrated Today

First demonstration in the United States of the Scophony system of large screen television will take place this afternoon at Scophony studios here.

The system, which employs mechanical scanners as well as an optical system for the enlargement of the television image, was used in English theatres prior to the outbreak of war.

Arthur Levey, Scophony stockholder, has been trying to market the system in this country for some time. In the middle of last year, Solomon Sagall, managing director, received permission from the British government to come to New York to aid in the sale. For the past few months assembly of the equipment has been going on, as well as readjustment to permit reception of American standards of telecasting.

Mrs. Reichenbach Active

Mrs. Harry Reichenbach, widow of the noted publicity man, has joined the publicity firm of Leo Guild and Ezra Goodman, after a long retirement.

Equity Takes Steps To Limit Amateurs

Actors Equity yesterday took steps to prevent amateur competition from interfering with commercial legitimate play production in Los Angeles. A resolution was passed instructing members of the casts of such amateur groups that if they continued, subsequent applications for membership in Equity would be jeopardized. The Screen Actors Guild last week adopted a similar resolution.

With seven amateur companies presenting revivals of commercial productions in regular commercial theatres, and only one commercial production open in Los Angeles, the Equity council declared that the situation was tending to bring the "entire theatre into disrepute." Equity has a special set of rules for little theatre groups in California. Theatres which house productions violating these rules, as well as managers and other executives connected with them, will be placed on the unfair list, it was decided.

Dunn to China for CBS

Bill Dunn of the CBS news department has been named chief correspondent for the network in the Far East. He will leave for China soon.

Pan-American Officials Meet On Frequency

WASHINGTON, Jan. 14.—In an effort to harmonize the action of the several Pan-American companies involved, so that assignment of frequencies to broadcasting stations will be in conformity with the provions of the North American Regional Broadcasting Agreement, radio and Government officials met here today.

Representatives of the State Department and the Federal Communications Commission met with officials of Canada, Cuba, Dominican Republic, Haiti and Mexico.

The foreign officials were welcomed by Assistant Secretary of State Breckinridge Long, and were turned over to officials of the Communications Division of the State Department for initial discussions of the problem, later going to the FCC for technical conferences.

FCC Sets Tentative Dates for Hearings

WASHINGTON, Jan. 14.—The Federal Communications Commission has announced a tentative schedule of hearings on broadcasting applications, as follows:

Feb. 17: Applications of Station WGNY, Newburgh, N. Y., for change of frequency from 1,220 to 1,370 kilocycles; Stephen R. Rintoul for a new 1,370-kilocycle, 250-watt station at Stamford, Conn., and William H. Amesbury for a new 630-kilocycle, 1,000-watt station at Minneapolis.

March 3: Application of Station WSAY, Rochester, N. Y., for change of frequency from 1,210 to 1,340 kilocycles and increase of power from 250 to 1,000 watts.

March 10: Contesting applications of Trent Broadcast Corp. for 1,230-kilocycle, 1,000-watt station at Trenton, N. J., and Station WTNJ, Trenton, for change of frequency from 1,280 to 1,230 kilocycles and increase of power from 500 to 1,000 watts, with extension of time from sharing to unlimited.

Equity to Permit Closing on Death

Believing that the death of a featured player is at least as serious as his illness, the Actors Equity council yesterday instructed the union's legal department to modify the existing contract to permit a play producer to close the show on 48 hours' notice upon such death. Heretofore, a producer could close his show without penalties if a featured player became ill for three weeks, but could not do if the player died.

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Reels, Radio Set Coverage Of Inaugural

Plans Are Completed for Extensive Treatment

The screen and radio have marshalled their forces for complete and extensive coverage of the inauguration of President Franklin D. Roosevelt for a third term to be held in Washington on Monday.

All newsreels are sending large crews from New York in addition to their Washington men. Approximately 100 camera and sound men have been assigned to the inaugural coverage, with crews to be stationed at strategic points.

The material shot will be rushed to New York by plane late on Monday, and made up for inclusion in the regular midweek issues, to be released to all accounts on Tuesday. W.

(Continued on page 7)

Illinois Exhibitors Consider Ascap Law

Springfield, Ill., Jan. 15.—The possibility that Illinois exhibitors will take action to put through anti-Ascap legislation in the state loomed today with reports from several legislators that they had been approached by exhibitors. The headquarters of the United Theatre Owners of Illinois, downstate exhibitor organization with headquarters here, reported that numerous complaints had been received from exhibitors over Ascap charges and that members have asked the organization to take action.

Allied Theatres of the Northwest is reported considering steps to seek legislation curbing Ascap in Minnesota.

R. I. Theatres Face Utility Strike Threat

Providence, Jan. 15.—An electric utilities strike threat, twice deferred for 24-hour periods at the request of city officials, had exhibitors throughout northern Rhode Island worried today as union representatives indicated workers would walk out at seven o'clock tomorrow unless an agreement with the Narragansett Electric Co. is reached. The strike would leave theatres without power.

Influenza Epidemic Hits Mass. Grosses

Worcester, Mass., Jan. 15. —Diminishing box-office returns are blamed in part by theatre managers on a grippe and influenza epidemic that has swept this section. In Uxbridge, Gardner, Athol, Ware, Palmer, Medway and Millis all schools have been closed. In Athol, the York and Capitol theatres have agreed to bar all children under 18 years.

Aylesworth to Coast on 'Kane'

Merlin H. Aylesworth, who is consultant to the management of RKO Radio Pictures, is in Hollywood in connection with the questions arising out of the criticism of the film, "Citizen Kane," as made by the William Randolph Hearst organization. Aylesworth is accompanied by Gordon E. Youngman of RKO counsel.

The Hearst organization has asked RKO to withhold the picture on the allegation that the central figure, played by Orson Welles, too closely parallels the life and career of William Randolph Hearst.

The protest on behalf of the Hearst organization was first voiced by Louella O. Parsons, motion picture editor of Hearst's International News Service, after seeing the picture in Hollywood.

Allied of N. W. to Seek Theatre Limit

Minneapolis, Jan. 15.—Legislation designed to limit theatre expansion in Minnesota is scheduled to be discussed at the convention of Allied Theatres of the Northwest at the Nicollet Hotel here, Jan. 21 and 22.

The convention will be devoted largely to discussion of legislation which the organization may sponsor in the current legislative sessions in North and South Dakota and Wisconsin, as well as Minnesota.

Another measure contemplated which will be discussed at the meeting is a bill to permit exhibitors to contract for the full season's output of the five companies which are parties to the New York consent decree, with a 20 or 25 per cent cancellation privilege on the entire block, instead of buying under the decree's block-of-five method. A bill designed to curb 16mm. competition and free shows in rural areas is also planned.

20th-Fox British Business Was Best Last Year: Harley

Twentieth Century-Fox rolled up the largest business record last year in Britain of the company's 25-years' operations in that country. Francis L. Harley, 20th Century-Fox managing director for Britain, said yesterday.

Harley, who arrived from London this week for a six weeks' visit, brought a final official copy of the recent monetary agreement between the British Government and the eight major companies.

He estimated that the American companies now have between $30,000,000 and $35,000,000 in blocked sterling in London. He said he regarded any move on the part of the American companies to invest in British theatres as "unwise" for long-range trade reasons. The new agreement permits the American companies to invest blocked funds in British theatres if the approval of the Control Commission is obtained.

Harley estimated that 400 British theatres, all important houses, are closed because of the war. He stated, however, that the shifting of population from coastal cities and, to some

(Continued on page 7)

Compromise Plan for British Money Split

Efforts will be made with the M.P.P.D.A. committee on allocation of British remittances to work out a compromise for distribution of the $12,900,000 of remittable funds among the eight major companies without recourse to arbitration, it was stated yesterday.

M-G-M, which had asked for allocations on the basis of total amounts of blocked sterling, rather than the pro rata distribution method used last year, has agreed to withhold submitting the question to arbitration while the committee attempts to work out a compromise.

Herman New Mono. N. E. District Chief

Hollywood, Jan. 15.—A. J. Herman, formerly Eastern district manager for Universal, was today appointed New England district manager for Monogram, it was announced by W. Ray Johnston, president. He replaces Samuel Broidy, recently appointed Monogram general sales manager.

Newsreels May Be Excluded by Chicago Censor

Council Group to Make Amendment Proposals

Chicago, Jan. 15.—Chicago's present censorship ordinance may be amended to exempt newsreels and educational films, it was indicated today by Alderman Hy Brody, chairman of the City Council's Committee on judiciary, after a visit by the committee to censor board headquarters.

This amendment is expected to be one of several to be recommended by the committee for changes in the local censor law, which at present is the subject of the committee's study. The committee will hold executive sessions in the next few days to decide on its proposed amendments.

The council group visited the board to investigate its workings and the methods used to determine what may be shown on the screens of Chicago theatres. The members received ex-

(Continued on page 7)

Carothers Honored At Coast Luncheon

Hollywood, Jan. 15.—Studio executives and labor leaders joined today in a surprise testimonial to Francis K. Carothers, secretary of the Motion Picture Internationals' Committee, the labor group of the basic studio agreement, on his 50th anniversary in the American Federation of Labor movement.

Meeting at Levy's Tavern for a luncheon called ostensibly to inaugurate the infantile paralysis campaign, about 150 persons applauded Carothers, who has held his present position since 1926. For 50 years he has been a member of the American Federation of Musicians, and is its first past president. He has a long record as California labor leader.

Carothers was presented a pin, watch and plaque commemorating the event.

Serving as toastmaster, C. J. Haggerty, president of the State Federation of Labor, was introduced by Joseph P. Tuohy of Studio Drivers' Local 399. Aubrey Blair, A.F.L. Hollywood organizer, and Herbert

(Continued on page 7)

Personal Mention

POSTMASTER GENERAL FRANK C. WALKER, former president of Comerford Theatres, will return to Scranton, Pa., on Jan. 25 for the dedication of a new post office.

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CHARLES RAYMOND, Loew's division manager in Cleveland, will speak tomorrow before the Women's Federation of Clubs there on films in the United States and Europe.

•

BERNARD B. KREISLER, Universal short subjects sales manager, leaves tomorrow for studio conferences.

•

DAVID HEMPSTEAD, producer of "Kitty Foyle," leaves tomorrow for the Coast.

•

GEORGE J. SCHAEFER, WILLIAM MORRIS, SAM SHAIN, NAT KALCHEIM, PHIL BLOOM, HARRY KALMINE, HARRY KOSINER, LEO JUSTIN, JACK CONNOLLY and KENNETH HANSON at Toots Shor's yesterday for lunch.

•

DAVE LIPTON, EUGENE PICKER, EDWARD SCHWARTZ, MARVIN SCHENCK, BENNY FIELDS, DOUGLAS ROTHACKER and MAURICE FREEMAN lunching yesterday at the Tavern.

•

ARTHUR LOEW, AL LEWIN, HARRY KRECKE, DAVE BLUM, SIDNEY PHILIPS, EDWARD DAVIS, JACK KIRKLAND, CLAYTON BOND and ROBERT ROSS at Sardi's for lunch yesterday.

•

J. ROBERT RUBIN, STANTON GRIFFIS, HARRY BRANDT, CHARLES M. REAGAN, MILTON BERLE, RUSSELL HOLMAN, J. J. UNGER, GEORGE SKOURAS and DAVID WEINSTOCK having lunch yesterday at Nick's Hunting Room in the Astor.

•

ARTHUR KELLY, HARRY BUCKLEY, JACK COHN, CLARENCE EISEMAN and JOSEPH PINCUS at Lindy's (51st St.) yesterday for lunch.

•

NATE SPINGOLD, ABE MONTAGUE and SAM TULPIN at Lindy's (next to the Rivoli) for lunch yesterday.

Open Warner Club

WASHINGTON, Jan. 15.—The new Warner Club rooms here were formally opened tonight in the Tivoli Theatre Building. James Root is president, Harry Anger, vice-president and entertainment chairman, and Harry Lehmeyer, vice-president of welfare.

English Theatres Tax $50,000,000

London, Jan. 15.—Approximately $50,000,000 was paid to the British Government by the film industry in the form of theatre taxes during the past year, it has been estimated by W. R. Fuller, secretary of the Cinematograph Exhibitors Association.

Late News Flashes from the Coast

Hollywood, Jan. 15

ROBERT RISKIN will leave Friday for New York to confer with Gradwell L. Sears, Warners' general sales manager, on the sales policy of "Meet John Doe," which will be sold on separate contract. Sears and Riskin will determine the cities for the premiere showings of the film, while Frank Capra remains here to supervise the final editing.

• •

As a possible vehicle for Jack Benny's first picture for 20th Century-Fox, under his sharing arrangement with Paramount, 20th Century-Fox today purchased "Charley's Aunt," Brandon Thomas' play presently in a successful revival on Broadway.

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Larry Darmour today signed Jack Holt to star in a serial as yet untitled for Columbia release next season. Holt's last film work was in a series of six melodramas produced by Darmour for Columbia.

• •

Leon Schlesinger, producer of "Merry Melodie" cartoons for Warners, will leave Friday by train for two weeks of conferences at the home office.

'U' Sets Program for 'Back Street' Opening

A week of entertainment in and about Miami is planned by Universal for the 150 newspaper critics, trade paper representatives, Hollywood players and company executives who will attend the world premiere of "Back Street" at the Lincoln Theatre, Miami Beach, on Feb. 4.

Deanna Durbin will be in the studio group. Louis Pollock, Eastern advertising and publicity manager, left for Miami yesterday to complete plans with Sidney Meyers and Sonny Shepherd of the Wometco Circuit.

Among events planned is a banquet on the night of the premiere at the Miami Biltmore Hotel; a day at the Hialeah race track; an evening at the dog races in Hollywood; a dinner party at Monte Proser's Beachcomber; another at Ben Marden's, a deep sea fishing trip and other divertissements.

NLRB Hearing Set For N. Y. Publicists

Hearings have been scheduled for next Thursday by the National Labor Relations Board on the petitions of the Screen Publicists Guild for designation as collective bargaining agency with the eight major companies. Informal conferences failed to bring an agreement.

While the S.P.G. filed petitions for each of the eight companies, claiming a majority of employes in the advertising and publicity offices, the cases have been consolidated as one. Hearings will be held at N.L.R.B. offices here. No trial examiner has been named as yet.

Back Discrimination Plea of N.Y. Governor

ALBANY, Jan. 15.—Assemblyman Louis Bennett today supported Governor Lehman's plea for extension of the prohibition against employment discrimination in business affecting the public interest, by introducing a measure providing penalties for violations. Assemblyman William T. Andrews tomorrow is expected to introduce a measure of wide scope on the same subject.

'March of Dimes' in Theatres On Today

Times Square was changed to "Dimes Square" at noon yesterday as the "March of Dimes" week was launched by the Motion Picture Theatres Committee in the New York-New Jersey area. A colorful parade of some 1,500 ushers was led by Harry Brandt and Eugene Picker.

An impressive ceremony was staged under the supervision of Marvin Schenck, on a platform at Broadway and 46th Street. Various screen and stage personalities appeared.

The drive is for the National Foundation for Infantile Paralysis and about 1,000 theatres will solicit contributions from patrons during the week beginning today. Edward Dowden of Loew's directed the parade with the RKO, Loew, Skouras, Brandt, Fabian, Cocalis and Cinema circuits represented.

Chase Picture Stock Holdings Unchanged

There were no changes in the holdings of the Chase National Bank in 1940 in the stocks of 20th Century-Fox Film Corp., National Theatres Corp. and General Theatre Equipment Corp., it was reported to the stockholders by Winthrop W. Aldrich, chairman.

No common dividends were received from 20th Century-Fox, but on the preferred, which constituted the bank's chief interest in the film company, the regular was paid. The dividend on National Theatres shares was somewhat reduced, but General Theatres Equipment dividend was moderately increased, Aldrich reported.

'Dictator' Attacked

VALPARAISO, CHILE, Jan. 15.—Tear gas bombs caused the halting of "The Great Dictator" in two theatres here yesterday. Ten persons were arrested, all members of the Chilean Nazi party

$42,289 Roxy Loss

Roxy Theatre, Inc., yesterday reported a net loss of $42,289 for the year ended last Aug. 29, compared with a net income of $40,686 the year before.

Pershing Named To A.A.A. Group

F. W. Pershing, son of General John Pershing and head of the downtown brokerage firm of Pershing & Co., was named to the administrative committee of the American Arbitration Association yesterday. The administrative committee is in charge of the industry's arbitration system.

Pershing succeeds P. M. Haight, a member of the A.A.A. board of directors, who relinquished his posts on both the administration and budget committees of the association because of ill health.

Cases Ready in Minneapolis

MINNEAPOLIS, Jan. 15.—A number of complaints from local exhibitors, mostly relating to clearance, are scheduled for filing here as soon as the local arbitration board is opened, Feb. 1, it was learned here today. Cases awaiting filing are on record with Northwest Allied here, which is accepting them for local exhibitors.

Officers Installed by Buffalo Variety Club

BUFFALO, Jan. 15.—The local Variety Club installed its new officers with the Rev. Joseph Mahoney of Batavia, one of the club's chaplains, as induction officer.

Officers are Sydney Lehman, chief barker; Stanley Kozanowski, first assistant; George F. Hanny, Jr., second assistant, and W. E. J. Martin, secretary-treasurer. Directors are Phil Fox, Irving Fried, Elmer F. Lux, Ralph W. Maw, Sydney Samson, Melvin Schwartz and Murray Whiteman.

20th-Fox Caribbean Meet Opens Today

The third annual Caribbean convention of 20th Century-Fox opens today in San Juan, Puerto Rico, with Walter J. Hutchinson, foreign distribution chief, and Irving Maas, foreign service manager, from the home office, presiding. Representatives will be present from Panama, Colombia, Venezuela, Trinidad, Cuba, Mexico and Brazil, as well as Puerto Rico.

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DAILY
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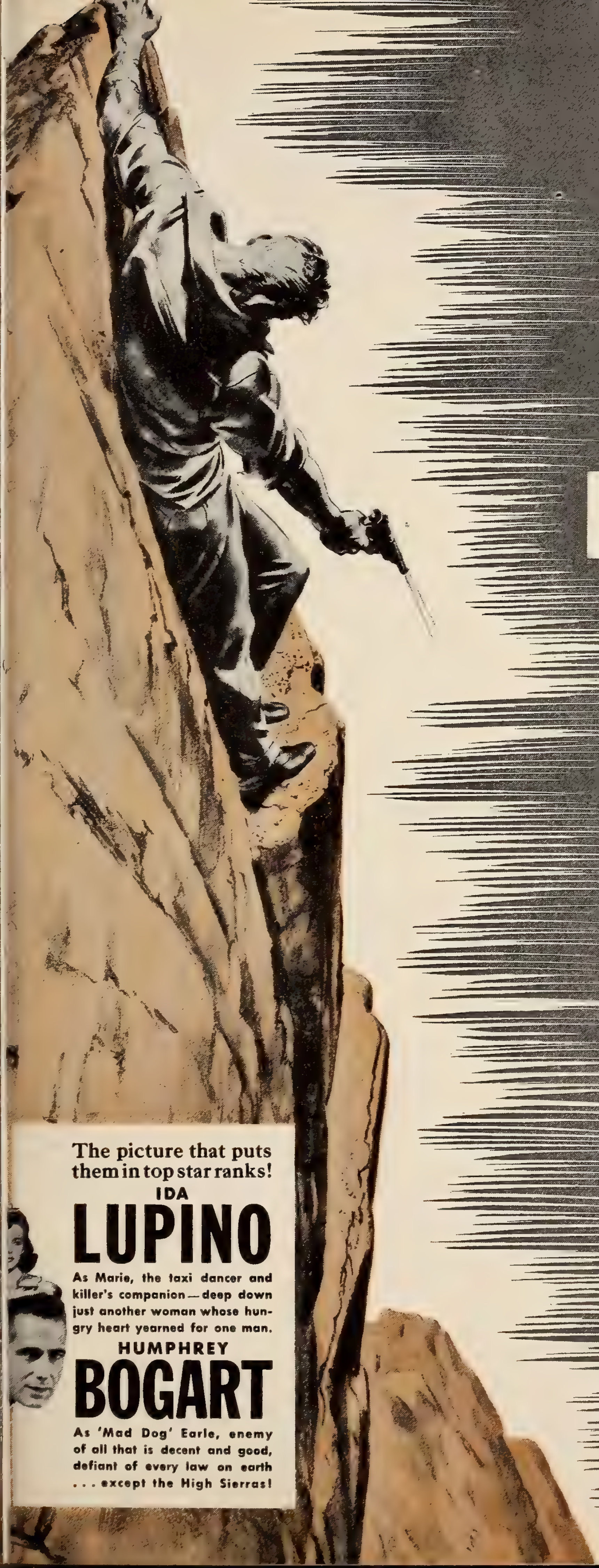

THE PEAK OF EXCITEMENT!

WARNERS' HIGH SIERRA

SOON!

The picture that puts them in top star ranks!

IDA
LUPINO

As Marie, the taxi dancer and killer's companion—deep down just another woman whose hungry heart yearned for one man.

HUMPHREY
BOGART

As 'Mad Dog' Earle, enemy of all that is decent and good, defiant of every law on earth . . . except the High Sierras!

Directed by **RAOUL WALSH**
with Alan Curtis • Arthur Kennedy
Joan Leslie • Henry Hull • Henry Travers
Screen Play by John Huston and W. R. Burnett

F A

edited by Terry Ramsaye

Out

today

M E

The AUDIT of PERSONALITIES

¶ The seventh annual edition of the international appraisal of talent values is off the press.

¶ The box office champions of 1940 presented with complete analysis and personnel credits—the money making stars of the season evaluated and reported upon by the exhibitor showmen of the world.

¶ The radio champions of 1940 as polled by MOTION PICTURE DAILY among the editors of the daily newspapers of America.

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 20	Phantom Submarine (D) *Anita Louise* *Bruce Bennett*		Pride of the Bowery (D) Chamber of Horrors (D)		Behind the News (D) 009 Lone Star Raiders (O)	No, No, Nanette (M) 114) *Anna Neagle* *Zasu Pitts*	Jennie (D) 122 *V. Gilmore* *William Henry*		Give Us Wings (D) 5025 *Dead End Kids*	Here Comes the Navy (D) 525 *James Cagney* *Pat O'Brien*
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows* *E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*	Kitty Foyle (D) 112 *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*		Convoy (D) 161 *Clive Brook* *John Clements*	Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*		Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) *H. Bogart* *Ida Lupino*
Jan. 31	Adam Had Four Sons (D) *Warner Baxter* *Ingrid Bergman*	Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*	Ridin' the Cherokee Trail (O) *Tex Ritter*	You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	The Bad Man (O) *Wallace Beery* *L. Barrymore*		The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	Bad Man from Rio (O) *Don "Red" Barry* *V. Carroll*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Golden Hoofs (C) *Jane Withers* *Buddy Rogers*		Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	She Stayed Kissed (C) *Dennis Morgan* *Jane Wyatt*
Feb. 21	Return of Boston Blackie (D) *Chester Morris* *R. Hudson*		Air Devils (D) *Leo Gorcey* *Bobby Jordan*	Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) *3 Mesquiteers*	Scattergood Baines (D) *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Trial of Mary Dugan (D) *Robert Young* *Laraine Day*	Sign of the Wolf (D)	In Old Colorado (O) *William Boyd* *Russell Hayden*		Citizen Kane (D) 118 *Orson Welles*	Scotland Yard (D) *John Loder* *Nancy Kelly*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Mar. 7				The Hard-Boiled Canary (M) *Allan Jones*		Play Girl (D) *Kay Francis*	Tobacco Road (D) *C. Grapewin*		Mr. Dynamite (D) *Lloyd Nolan*	

It's New!
It's Sensational!
It's a PARAMOUNT Scoop!

January 3
Grantland Rice Sportlight
'FEMININE FITNESS'

January 10
Popeye the Sailor
'PROBLEM PAPPY'

January 17
Madcap Models
'WESTERN DAZE'
(Technicolor)

January 17
Gabby
Color Cartoon
'ALL'S WELL'
(Technicolor)

100% BOX OFFICE TESTED!

Newsreels May Be Excluded by Chicago Censor

(*Continued from page* 1)

planations from Lieut. Harry Costello, the police censor.

Three films that had been rejected by the censor were screened for the committee. They were "Elysia," distributed here by Mutual Films; "Motherhood," distributed by Al Teitel, and "Caesarian Operation," distributed by Al Dezel. The entire committee concurred that they were banned justifiably.

The committee intends to investigate the status of censor board members, most of whom are over 63 years, the mandatory retirement age for police and firemen under state law. The committee is expected to recommend that since the board members are ex-officio members of the police department, they be included in the retirement act.

Carothers Honored At Coast Luncheon

(*Continued from page* 1)

Sorrell of Painters' Local 644 and Nate Saper of the Drivers' Local Committee, were in charge of arrangements.

Among those present were S. R. Kent, 20th Century-Fox president; Pat Casey, producers' labor representative; Joseph M. Weber, past president, American Federation of Musicians; Gerald Rackett, Technicolor vice-president; J. W. Buzzell, Los Angeles Central Labor Council executive secretary; Fred Pelton, producers' labor contact; Keith Glennan and Charles Boren, Paramount; Fred Meyer, 20th Century-Fox; Sig Rogell, RKO; Carroll Sax, Warners; Matt O'Brien, Roach Studio; Marvin Ezzell, Goldwyn Studio; E. H. Goldstein and Al Wilson, Republic; Gunther Lessing and William Garrity, Walt Disney Studio; David Garber, Universal; Ted Butcher, M-G-M; Lou Shapiro, William Stone and H. W. McDonnell, Columbia; Harold Lewis, RKO Pathe, and S. E. Hawkins and Frank Kryger, General Service Studios.

'Nanette' Garners $11,500 in Montreal

TORONTO, Jan. 15. — "No, No, Nanette" captured $11,500 at the Uptown. "Comrade X" commanded $5,900 for its second week at Loew's.

Estimated takings for the week ending Jan. 11:

"Tin Pan Alley" (20th-Fox)
IMPERIAL — (3,373) 15c-25c-35c-50c-65c) 4 days, 2nd week. Gross: $4,800. (Average, $9,000)

"Comrade X" (M-G-M)
LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $5,900. (Average, $9,000)

"You'll Find Out" (RKO)
"Mexican Spitfire Out West" (RKO)
SHEA'S—(2,663) (15c-25c-40c-50c) 5 days, 2nd week. Gross: $4,800. (Average, $7,500)

"The Mark of Zorro" (20th-Fox)
"The Bank Dick" (Univ.)
TIVOLI — (1,434) (15c-25c-40c) 6 days. Gross: $4,000. (Average, 3,900)

"No, No, Nanette" (RKO)
UPTOWN—(2,761) (15c-25c-35c-50c-65c) 6 days. Gross: $11,500 (Average, $9,000)

Singles Midweek, Duals Weekend

KANSAS CITY, Jan. 15.—The Fox Brookside, suburban house owned by Edward Mater, has inaugurated a new policy which exhibitors are watching with interest. The house until a year ago operated on a single bill policy; it then shifted to doubles. Now it is showing a single bill in midweek and doubles on the weekend change. First experience with the midweek single, "Bitter Sweet," was reported excellent.

The theory behind the move is that the Brookside, in a class neighborhood, will get single bill patrons during the week, while children and others who like doubles will come on the weekend. The Brookside went to 30 cents, including tax, up 1½ cents from the former 25 cents plus Federal defense and state sales taxes.

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30 Army Films Now Shooting in England

LONDON, Jan. 15.—David Macdonald, British director, was recently appointed to take charge of film making for the Army. Already 30 training films are in process of production, states the War Office. Most of these, however, have been made by civilian companies with which the War Office intends to place most of its work.

Pen Tennyson, another of the younger British directors, has been appointed to a similar role with the Navy. A studio has been set up on the South Coast and there Tennyson, who holds a commission in the Royal Navy, has set a production unit to work.

In the Ministry of Information's Film Division, Arthur Elton, distinguished documentary producer-director, has supplanted Dallas Bower as executive in the Production Section.

The GPO Films Unit, creators of the noted "British Can Take It" and more recently "Xmas Under Fire," has been renamed the Crown Film Unit.

'Go West' Is Good in Minneapolis $11,500

MINNEAPOLIS, Jan. 15.—The newly-re-opened Minnesota drew $20,000 for 10 days of "Hit Parade of 1941," and a stage show. "Go West," also with a stage show, did $11,500 at the Orpheum.

Estimated takings for the week ending Jan. 7-9:

"Hit Parade of 1941" (Rep.)
MINNESOTA—(4,000) (28c-39c) 10 days. Vaudeville including Ken Murray, Ruth Petty, Dixie Dunbar, Faludy troupe. Gross: $20,000.

"Go West" (M-G-M)
ORPHEUM—(2,800) (28c-39c-44c) 7 days. Vaudeville including Ada Leonard and girl band, Gertrude Niessen, Frank Gaby. Gross: $11,500. (Average, $5,500)

"Comrade X" (M-G-M)
STATE — (2,300) (28c-39c-44c) 8 days. Gross: $10,500 (Average, $6,000)

"Love Thy Neighbor" (Para.)
CENTURY—(1,600) (28c-39c-44c) 8 days. 2nd week. Gross: $6,500. (Average, $4,000)

"Here Comes the Navy" (W. B.)
GOPHER—(998) (28c) 7 days. (Reissue.) Gross: $4,000. (Average, $2,500)

"The Thief of Bagdad" (U.A.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $1,800. (Average, $1,600)

"Jennie" (20th-Fox)
"Lone Wolf Keeps a Date" (Col.)
ASTER—(900) (15c-28c) 5 days. Gross: $2,000. (Average, $1,800)

Carman Rites Held

PHILADELPHIA, Jan. 15.—Funeral services were held here for William C. Carman, theatre builder, who died at his Summer home in Ventnor, N. J., at the age of 83, after a month's illness. The Carman here is operated by his son-in-law, George T. Graves. His wife, a daughter and sister survive.

20th-Fox British Business Was Best Last Year: Harley

(*Continued from page* 1)

degree, from London to the provinces has made theatre attendance on a large scale possible in England where otherwise it would not have been because of war conditions.

Other reasons for the upswing in business are the increased entertainment appetite of the people and the 24-hour work schedules prevailing in large cities, which leaves night workers free to attend theatres during the day.

The air bombings have not stopped British production, Harley said. Eight features were made last year. "Kips," with Diana Wynyard and Michael Redgrave, completed recently, may be distributed here. Productions planned for the near future include "Once a Crook," "Spitfire," "Pitt, the Younger," and "Paddy, the Next Best Thing."

Harley plans to return to London at the end of February. He will leave for the Coast on Monday to confer with company officials.

'Comrade' $23,000 Top St. Louis Gross

ST. LOUIS, Jan. 15. — With ideal weather, local theatres did well, only one going below average. "Comrade X" at the Loew's State led with $23,000 for a 10-day run.

Estimated takings for the week ending Jan. 9:

"This Thing Called Love" (Col.)
"The Invisible Woman" (Univ.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $13,500. (Average, $11,500)

"Arizona" (Col.)
FOX—(5,038) (30c-40c-50c) 7 days. Will Osborne and band on stage. Gross: $9,500. (Average, $11,000)

"Comrade X" (M-G-M)
"Gallant Sons" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 10 days. Gross: $23,000. (Average, 7 days. $13,000)

"Arise My Love" (Para.)
"Chad Hanna" (20th-Fox)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $6,000. (Average, $4,000)

"Trail of the Vigilantes" (Univ.)
"The Bank Dick" (Univ.)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $3,000. (Average $2,600)

Sues on Polish Film

Polish American Film Corp. has filed suit in U. S. District Court against Aurelio Battistan and John Milo, doing business as the Roma Film Co., to restrain defendants' use of the title, "Poland Is Not Lost," and asks $10,000 damages. The plaintiff claims to be producing a film of the same title.

Reels, Radio Set Coverage Of Inaugural

(*Continued from page* 1)

P. Montague will be in charge for Paramount News, James Lyons for Universal, J. C. Brown for News of the Day, Tony Muto for Movietone News, and Frank Donovan for RKO Pathe News.

The Inaugural Committee announced in Washington yesterday that the three major radio networks will broadcast at least 30 minutes of the Inaugural Gala in Constitution Hall on Sunday night. Tentatively scheduled to begin at 10:30 P.M., the unique air program will include four songs by Nelson Eddy, Charles Chaplin in the final speech from "The Great Dictator," and selections by the National Symphony Orchestra conducted by Hans Kindler.

Ascap Permission Indicated

Indications are that the networks will be permitted to carry Ascap music on the special broadcast. Gene Buck, president of Ascap, has informed Kindler that he may play Ascap music, and network executives have expressed their willingness to permit the music to be played. In return, BMI is making its music available to Ascap stations. The Inaugural Committee also has announced the addition of the Golden Gate Quartet to the Sunday program.

"Command performances" on Sunday also will be given by Mickey Rooney, Irving Berlin, Robert E. Sherwood, Ethel Barrymore, Eddie Cantor, Ed Wynn and Risé Stevens. Sherwood will act as master of ceremonies.

At the President's Birthday Ball later this month both Ascap and BMI music will be available to all stations under the same general statements covering public functions.

Deanna Durbin at President's Parties

WASHINGTON, Jan. 15.—First scheduled arrival of a film player for the President's Birthday Celebration will be Deanna Durbin, who will arrive here from the Coast Jan. 28 to join the round of dances and dinners being arranged for the Jan. 30 celebration. She will be accompanied by her mother, her manager, and John Joseph, Universal advertising and publicity director. While here she will be under the protective wing of Hardie Meakin, manager of RKO Keith's and assistant chairman of the entertainment commmittee.

'Lady in the Dark' At Alvin Tonight

"Lady in the Dark," a musical play by Moss Hart, starring Gertrude Lawrence with Bert Lytell, Victor Mature and Danny Kaye, will be presented at the Alvin tonight by Sam H. Harris. The music is by Kurt Weill and the lyrics by Ira Gershwin. Production is by Hassard Short.

BMI Provides 227 New Original Songs

BMI has made available to radio 227 new original songs since Christmas, it was disclosed yesterday. The ability of BMI to provide good new music is generally regarded as the key to its success in its fight to oust Ascap. The 227 new tunes, it was said, include 42 published by BMI; M. M. Cole has made available 102 new cowboy tunes and romantic ballads; E. B. Marks, 43 popular songs, and 12 originals are from subsidiaries of Southern Music.

In addition, BMI has acquired performing rights to Republic Music Corp., which transferred 20 numbers immediately with calls for publication of two monthly, and 10 from Mutual Music.

BMI made public yesterday correspondence between Art Kassel, band leader, and Gene Buck, Ascap president. Kassel, who is the composer of several songs, sought to resign from Ascap. Buck's reply, dated Dec. 18, pointed out that "in the 26 years of our history, we have never accepted a resignation from any of our members, and if we complied with this request, we would be creating a precedent."

Nets to Withhold Billings Figures

Dissatisfied with the comparison of gross billing figures among the networks, an agreement has been reached informally to discontinue the practice of releasing the figures in the future. Although the matter has not been closed finally, a decision is expected next week.

Instead of network billing figures, the National Association of Broadcasters plans to release industry-wide figures on a unit system. Thus, if a network has a sponsored half-hour show on 100 stations, the network will be credited with 50 points, each unit representing a full hour of commercial time on one station.

One of the major reasons assigned was that the system of client discounts differed among networks and that accurate comparisons on that basis was impossible. Reports that networks were reluctant to disclose their future figures because of constantly mounting revenues were denied. Under the new system, if adopted, individual stations, as well as networks, may be included.

Swing to Get Poll Award Tomorrow

Raymond Gram Swing, commentator, will receive a scroll in recognition of his award as leading news commentator in the recent poll of radio editors conducted by *Motion Picture Daily*, during his regular news program tomorrow at 10 P. M. over WOR on the White Owl Cigar show.

Bob Hope was presented a Quigley Publications scroll on his Pepsodent program Tuesday night in Hollywood on NBC for having been designated best comedian in the poll.

British Scophony Chief Asks FCC To Permit Television During Defense

Declaring that the military reasons which caused a stoppage of television in England had no application here, Solomon Sagall, managing director of Scophony, British television system, yesterday asked the FCC to permit the development to continue despite the current defense program.

Sagall yesterday demonstrated his theatre screen television for the press. It was the same equipment used before the war in the Odeon, London, but a 9 x 12 foot screen was used instead of the 18-foot screen used in London, and it was adapted to the 441-line standard instead of the 405 lines used in England.

Lighting generally was poor and created some eyestrain, observers thought. The picture was streaked across the middle, there were dark and light patches on the screen and the corners were fuzzy. However, it was explained after the demonstration that an outmoded RCA camera was used because the latest model was not available and that the image otherwise would be as good as the image telecast. A club size, 3 x 4-foot screen was also shown, but lighting was also poor on this screen despite considerably improved definition. The equipment is compact and requires comparatively little room. Rear screen projection is used.

FCC Provides New FM Relay Service

WASHINGTON, Jan. 15.—The Federal Communications Commission today provided for relay service between studios and transmitters of high frequency broadcasting stations, authorizing such service for either FM or AM stations, on frequencies above 330,000 kilocycles.

Three additional FM stations were authorized today, CBS and WJJD, Inc., getting permits for new stations in Chicago, and Westinghouse Radio, Inc., receiving permission for a station in Pittsburgh.

Permission for the relays will be particularly important to FM stations because of the high fidelity requirements of such outlets, officials in New York said. At present, expensive coaxial cables are used, or telephone lines which cut down the fidelity of the programs.

Means Resigns Post In K.C. Variety Club

KANSAS CITY, Jan. 15. — Jay Means, chief barker of Variety Club and operator of the Oak Park and Bagdad theatres, has resigned his Variety Club post because of personal business, and Jerry Zigmond, manager of the Newman Theatre, was named chief barker by directors of the group. Ward Scott of 20th-Fox was moved up to first assistant chief barker, and Robert F. Withers replaced him as second assistant.

Mayor Helps Premiere

Carolyn Lee, five-year-old actress, who appears in "Virginia," will call on Mayor F. H. LaGuardia today to ask him to "autograph" a sweater she has been knitting for Britain by taking a few stitches in it. The sweater will be auctioned at the premiere of "Virginia" at the Paramount on Broadway Jan. 28, sponsored by the Maple Leaf Fund.

20th-Fox Signs Clurman

HOLLYWOOD, Jan. 15.—Harold Cluman, founder of the Group Theatre in New York, has been signed as an associate producer by 20th Century-Fox.

F.C.C. Authorizes Power Increases

WASHINGTON, Jan. 15. — The Federal Communications Commission has authorized Stations KGKO, Fort Worth, Tex., and KTRH, Houston, Tex., to increase their night power from 1,000 to 5,000 watts; WIBC, Indianapolis, Ind., to increase day power from 1,000 to 5,000 watts, and WBIR, Knoxville, Tenn., to increase night power from 100 to 250 watts.

The commission ordered set for hearings, on dates to be announced later, the applications of KNOE, Inc., for a new 1,420-kilocycle, 250-watt station at Monroe, La.; Station KMLB, Monroe, La., for change of frequency from 1,200 to 1,410 kilocycles and increase of power from 250 to 1,000 watts, and Station KTSM, El Paso, Tex., for increase of power from 500 to 1,000 watts.

Seaks Is Appointed Assistant to Fly

WASHINGTON, Jan. 15.—Robert G. Seaks of Harrisburg, Pa., today was appointed assistant to James L. Fly, chairman of the Federal Communications Commission. He succeeds Nathan H. David, recently transferred to the commission's legal staff.

Seaks comes to the Commission from the Tennessee Valley Authority, with which he has been connected for the past six years as a member of the legal staff.

NBC to Separate Webs' Trade News

A further trend toward separation of NBC's Red and Blue networks was indicated yesterday when it was learned that, beginning next week, the trade news will be handled separately. Although the post of trade news editor will be filled by one man, different letterhead and different stories will be sent out for each web. A third letterhead will be used for general network publicity.

Ziehm Forms Company

Arthur Ziehm has organized a distribution company under the name of Arthur Ziehm, Inc., with branches in key cities. Herman Rosenfeld is sales manager of the new company and John J. Rein is vice-president.

Theatre Changes

To Improve Reading Houses

READING, Pa., Jan. 15.—Improvements of approximately $75,000 have been planned for the State, now held under a joint lease by Wilmer & Vincent and the Warner interests and operated by the former partner. Another $15,000 is being expended in improvements at the Arcadia, dark for many years.

New House Opens in Mobile

MOBILE, Ala., Jan. 15. — The Loop Theatre, Mobile's newest neighborhood house, has been opened. The theatre has been built by the Paramount-Richards Theatres, Inc., at a cost of about $50,000. It seats 1,000.

Fox Midwest Shifts Managers

KANSAS CITY, Jan. 15.—Fox Midwest Theatres, Inc., has shifted L. B Sponsler from Topeka, Kan., to Fort Scott, Kan., as manager of the Liberty. He succeeds H. D. Carroll, manager for two years, who goes to the Fox at Atchison, Kan. Allan Karf, formerly manager at Atchison, now is manager of the Fox houses in Sedalia, Mo. Ed Mater, formerly Sedalia manager, goes to the Brookside, Kansas City.

Roth Buys Iowa House

OMAHA, Jan. 15.—Mike Roth, formerly salesman for National Screen Service, has purchased the Rialto at Anita, Ia., from the estate of W. F. Budd. Roth's post at National Screen has been taken by Max Rosenblatt.

Take Montreal Theatre

TORONTO, Jan. 15.—Premier Theatres, Toronto, have taken over the Amherst Theatre, Montreal, from United Amusement Corp., Ltd., and the theatre will continue to be managed by Rene Daigneault.

Leases Washington House

SEATTLE, Jan. 15.—Frank Graham, former operator of the Granada in Auburn, near here, has leased his house to Mr. and Mrs. J. C. Ewing.

Open Canada Camp Theatre

TORONTO, Jan. 15.—The Lee Theatre has been opened at Camp Borden, Ont., by the Dominion Government and films are being booked from Toronto distributing companies.

Manages Indianapolis House

INDIANAPOLIS, Jan. 15.—Harold Arlington is the new manager of the Esquire here of the Cantor circuit. Recently Arlington was with the Butterfield Enterprises in Michigan and the Publix-Fitzgerald-McElroy circuit in Indiana and Illinois.

Opening Two in Kansas

KANSAS CITY, Jan. 15.—R. E. Conrad has opened his new Roxy a Wichita, Kan., and H. J. Griffith Theatres, Inc., will reopen the Cozy Junction City, Kan., dark for a year, later this month.

Reopen House in Allentown

ALLENTOWN, Pa., Jan. 15.—Albert A. Moffa and Dan Shimer have taken over the operation of the Park.

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VOL. 49. NO. 12 NEW YORK, U.S.A., FRIDAY, JANUARY 17, 1941 TEN CENTS

Back Decree, Is Plea of U. S. To Exhibitors

Justice Dep't Unit Is Headed by Wright

WASHINGTON, Jan. 16.—Calling upon exhibitors for "wholehearted support," the Department of Justice today formally announced the establishment of the special unit which will handle matters under the consent decree under the supervision of Robert L. Wright, of the anti-trust division staff.

In addition to dealing with the New York decree, the unit, it was announced, also will handle the decrees entered in the Federal Courts at Chicago on Dec. 10 and Los Angeles on Nov. 27.

It was explained that the new organization will enforce the decree and see that final arbitration awards are complied with, participating as a friend of the court in any appeals taken from awards which involve important questions of construction of the decree. In this connection, also, the unit will undertake to ascertain the competitive effect of each the-

(*Continued on page 4*)

Rogasner Brings Phila. Trust Suit

PHILADELPHIA, Jan. 16.—Milton Rogasner, owner of the Iris, neighborhood house here, today filed an anti-trust suit in Federal district court for triple damages of $378,000 against Warner Theatres and six distributors, Warners, Universal, M-G-M, United Artists, RKO and Paramount.

He contended that because of his inability to obtain films his theatre's business dropped, and he estimates that the profit otherwise would have been about $21,000 a year for the past six years. He also claimed that his inability to get product compels him to keep the Lafayette dark.

Initial Arbitration Office Taken in K.C.

KANSAS CITY, Jan. 16.—First location of an industry arbitration board to be announced has been arranged here with a lease taken for the entire eighth floor of the Waltower Building in downtown Kansas City. The offices, which will be opened Feb. 1, consist of a hearing room, large reception room, board secretary's office and large storage space.

RKO Planning Big Campaign on 'Kane'

RKO is planning an extensive national advertising campaign on "Citizen Kane," to break in the large-circulation weekly magazines and key city newspapers about the middle of February. The picture is to be released on Feb. 28. The entire special advertising campaign on the Orson Welles film will be handled by Donahue & Coe, advertising agency.

Schine Decree Talk Held in Washington

WASHINGTON, Jan. 16.—Department of Justice officials tonight refused to reveal what progress is being made toward a consent decree settlement of the Schine Circuit anti-trust suit, following upon reports that Willard S. McKay, attorney for the circuit, had conferred with members of the Department here this week.

Department officials indicated that there have been some discussions but pointed out that it is the usual thing for defendants to explore possibilities of a settlement without a trial.

No comment on the Washington conferences could be obtained at McKay's office here. It was said he was out of town for a few days.

FILMS NOT INCITING TO WAR, SAYS HAYS

'Wind' Again at Capitol; Weather Blow to Grosses

"Gone With the Wind" is scheduled for a popular-price return engagement at the Capitol on Broadway following the current run of "Flight Command," which opened yesterday. The latter film is expected to go two weeks, and possibly a third, and "Gone With the Wind" is figured by M-G-M officials to be good for three weeks and possibly a fourth at the Capitol's regular scale.

Broadway grosses were down yesterday as the first real storm of the Winter struck. Business was generally good, however, during the preceding week. Four pictures are being held over.

"Second Chorus" with Harry James and his orchestra opened strong at the Paramount on Wednesday, with about $8,000 for the day. "Hudson's Bay" with a stage show at the Roxy finished its first week with an estimated $47,000 and is being held over. "Four Mothers" with Sammy Kaye at the Strand, another holdover, took an estimated $30,000 in the first week.

(*Continued on page 4*)

Few Relate to Conflict, His Reply to Senator Wheeler States

"Only a small percentage of all classifications of films handled by major companies had any relation, direct or indirect, to European politics and the European war, and no appreciable fraction of these small percentages can be said to show an intention to incite to war." Will H. Hays asserts this in a reply sent yesterday to Senator Burton K. Wheeler, chairman of the Senate Interstate Commerce Committee, who early this week charged the industry with disseminating

Will H. Hays

(*Continued on page 4*)

7 Companies' '39 Volume Of Business $411,000,000

WASHINGTON, Jan. 16.—Seven motion picture companies had a total combined volume of business of $411,000,000 in 1939, an increase of $1,000,000 over the preceding year, it was reported tonight by the Securities and Exchange Commission.

Covering the operations of Columbia, Loew's, Inc., Monogram, Paramount, 20th Century-Fox, Universal Corp. and Universal Pictures, and Warner Brothers, the analysis showed the seven companies had a combined operating profit of $25,000,000 or 6.2 per cent of sales, for the 1939 year, compared with $28,000,000, or 6.7 per cent of sales, in 1938.

After all charges, including non-operating gains and losses, prior claims, interest and income taxes, the companies had a combined net profit of $20,000,000, or 4.8 per cent of sales for 1939, compared with $21,000,000, or 5.1 per cent, for 1938.

During their 1939 year, the companies paid out $9,900,000 in dividends, of which $3,700,000 were cash dividends on preferred stock and $6,200,000 cash dividends on common stock. In the 1938 year, they paid out a total of $12,900,000, of which $3,700,000 were cash dividends on preferred and $9,100,000 cash dividends on common stock, and $100,000 stock dividends on common.

The combined total for all surplus accounts was $190,000,000 at the end of 1939, an increase of $9,000,000 during the year, as against $10,000,000 in the preceding year. The combined balance sheet assets of the companies

(*Continued on page 4*)

Agnew to Announce Changes at Chicago

Paramount headquarters will be transferred to Chicago for most of next week while the company holds a home office and district sales managers' convention and a testimonial banquet to Barney Balaban, president, and winners of the company's theatre business drive in honor of Balaban.

The sales meeting will be held at the Edgewater Beach Hotel, Tuesday through Thursday, with Neil Agnew,

(*Continued on page 2*)

Report Livingston Arrested in Paris

According to information received in this country yesterday via short-wave radio, Maurice Livingston, former RKO sales executive in France, has been arrested in Paris, charged with supplying food to refugees.

Sound Technicians Submit Demands

HOLLYWOOD, Jan. 16.—Major producers today received demands of Sound Technicians Local 695, I.A.-T.S.E., for what amounts to 54 hours pay for 42 hours work, complete jurisdiction over all sound work, including that now held by Studio Electricians Local 40, I.B.E.W., and Improved working conditions.

Harold V. Smith, Local 695 business representative, in submitting the proposals to Pat Casey, producers' labor representatives, asked that negotiations start immediately.

The demands are similar to those made of 46 independent producers and sound companies last summer, all of which, Smith said, have signed up with the exception of Republic, where the matter is still in the hands of William Bioff, who stopped the sound men's strike last summer.

Agnew to Announce Changes at Chicago

(*Continued from page* 1)

vice-president in charge of distribution, presiding.

The meeting also will discuss special sales plans for "I Wanted Wings," which may be roadshown; "Virginia" and "The Lady Eve."

The testimonial dinner to Balaban and the theatre drive winners will be held Thursday night and will draw most of the Paramount home office executives, ranking studio officials and heads of the Paramount theatre operations in the field.

Among those who will attend, in addition to Balaban and Agnew, are: Adolph Zukor, Stanton Griffis, Austin Keough, Y. Frank Freeman, J. J. Unger, Charles Reagan, Oscar Morgan, Robert M. Gillham, Al Wilkie, Alec Moss, George Brown, Leonard Goldenson, Leon Netter, E. V. Richards, N. L. Nathanson, A. H. Blank, R. J. O'Donnell, Karl Hoblitzelle, C. J. Scollard, G. B. J. Frawley, Herman Lorber, Arthur Dunne, Monroe Goodman, Fred Leroy, John Balaban, Sam Pinanski, Martin Mullin, Arthur Israel, Earl Hudson, J. J. Friedl, M. A. Lightman and Ralph Branton.

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San Francisco, California

Personal Mention

MAURICE SILVERSTONE, ARTHUR W. KELLY, CHARLES SCHWARTZ and EDWARD C. RAFTERY will leave for the Coast by train tonight for several weeks of conferences with company producers.

•

ALEXANDER KORDA will leave tomorrow for the Coast, but plans to return here in three or four weeks.

•

JOHN JOSEPH, Universal advertising and publicity director, is due early next week from the studio.

•

BERNARD BRANDT, JOSEPH MOSKOWITZ, JOSEPH PINCUS and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

•

EDGAR MOSS, 20th Century-Fox district manager in Philadelphia, will be host to the local trade Jan. 24 at his new home in suburban Philadelphia.

•

ROBERT MOCHRIE, RKO Eastern division sales manager, has left for a business trip to Detroit. He will return Monday.

•

LOUIS ASTOR, MAX WEISFELDT and LOU WEINBERG having lunch at Lindy's (next to the Rivoli) yesterday.

•

HARRY BUCKLEY, PAUL LAZARUS and DOUGLAS ROTHACKER at the Tavern yesterday for lunch.

RICHARD A. ROWLAND, producer for United Artists, will arrive here today from the Coast.

•

ARTHUR A. LEE returns to his office Monday after a three-week Coast visit.

•

ROBERT WEITMAN, CLAUDE LEE, AUSTIN KEOUGH, LOUIS PHILLIPS, FRANK PHELPS, CLAYTON BOND, JOHN ROYAL, GUY BOLTON, J. J. SHUBERT, JOHN GOLDEN, JIMMY SAVO and ARTHUR MAYER lunching at SARDI'S yesterday.

•

MAURICE BERGMAN, ARTHUR RAPF, BARNEY BALABAN, J. J. UNGER, STANTON GRIFFIS, JOHN HARRIS, MAX A. COHEN, TOM CONNORS, E. K. O'SHEA and GEORGE SKOURAS at Nick's Hunting Room in the Astor yesterday for lunch.

•

MRS. HARRY LEASIM, wife of the former RKO European manager, and their daughter and two sons, are en route from Lisbon by clipper. LEASIM is here.

•

FREDERICK L. HERRON, M.P.P.D.A. treasurer and foreign head, is confined to his home with a cold.

•

MELVYN DOUGLAS will arrive in Washington Saturday from the Coast to attend the inauguration as the guest of Secretary Ickes.

'Kitty Foyle' Is Big Hit in Kansas City

KANSAS CITY, Jan. 16.—"Kitty Foyle" did a smash $11,400 at the Ohpheum. "Love Thy Neighbor" gave the Newman $8,700 in the second week.

Estimated takings for the week ending Jan. 6-9:

"Chad Hanna" (20th-Fox)
ESQUIRE—(800) (28c-44c) 10 days. Gross: $3,500. (Average, 10 days, $3,000)
"Madame X" (M-G-M)
"Ellery Queen, Master Detective" (Col.)
MIDLAND—(4,000) (28c-44c) 10 days. Gross: $14,000. (Average, 10 days, $12,500)
"Love Thy Neighbor" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $8,700. (Average, $7,000)
"Kitty Foyle" (RKO)
"The Saint at Palm Springs" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $11,400. (Average, $5,000)
"Cherokee Strip" (Para.)
TOWER—(2,200) (30c) 7 days. Stage: Tenner & Swift, The Bell Troupe, Kadet Kozak. Gross: $5,900. (Average, $6,000)
"Chad Hanna" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 10 days. Gross: $4,800. (Average, 10 days, $3,900)

Charles Berman Dies; Formerly in Toronto

BOSTON, Jan. 16.—Charles Berman, one-time owner of the World Film franchise in Toronto, is dead here. He was a brother of the later A. C. Berman, who was European representative for Selznick International. He leaves a daughter, Mrs. Nat Levin, now here.

Brennan Rites Today

WASHINGTON, Jan. 16.—Funeral services will be held tomorrow at Arlington National Cemetery for Charles J. Brennan, for many years associated with Warner Theatres here and in Connecticut, and more recently connected with the Department of Commerce.

'Chorus' Captures $22,000 in Detroit

DETROIT, Jan. 16.—"Second Chorus" and a stage show for five days, with "Santa Fe Trail" and "The Aldrich Family in Life with Henry" for two days, drew $22,000 at the Michigan.

Estimated takings for the week ending Jan. 9:

"Thief of Bagdad" (U. A.)
"Sandy Gets Her Man" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $5,500)
"Escape" (M-G-M)
"Christmas In July" (Para.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $7,000)
"Hudson's Bay" (20th-Fox)
"The Lone Wolf Keeps a Date" (Col.)
FOX—(5,000) (20c-55c-65c) 7 days. Gross: $16,000. (Average, $15,000)
"Second Chorus" (Para.) (5 days)
"Santa Fe Trail" (W. B.) (2 days)
"Life With Henry" (Para.) (2 days)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) Stage Show: (5 days) Rosemary Lane, The 4 Ink Spots, Dean Murphy, with "Chorus." Gross: $22,000. (Average, $12,000)
"Love Thy Neighbor" (Para.)
"Texas Rangers Ride Again" (Para.)
PALMS—(3,000) (25c-39c-44c-55c) Gross: $7,000. (Average, $7,000)
"Comrade X" (M-G-M)
"Long Voyage Home" (U. A.)
UNITED ARTISTS—(2,200) (20c-39c-44c-55c) 7 days, 3rd week. Gross: $9,000. (Average, $10,000)

Law to Discuss Decree

LOS ANGELES, Jan. 16.—Albert J. Law, former assistant U. S. Attorney General and now counsel to the Pacific Coast Conference of Independent Theatre Owners, will address an Independent exhibitors' meeting here Monday on the Federal consent decree.

Col. Sets Dividend

Columbia Pictures Corp. has declared a quarterly dividend of 68¾ cents per share on the $2.75 convertible preferred stock, payable Feb. 15 to stockholders of record on Feb. 1.

Newsreel Parade

PICTURES of London's "City" aflame and the British victory in Sidi Baranni are important war material in the new issues. The contents:

MOVIETONE NEWS, No. 38—London "City" aflame. Sidi Baranni falls. Hull urges aid to Britain. Passengers on *Manhattan* rescued. Infantile paralysis drive. Golden Gloves.

NEWS OF THE DAY, No. 236—London's "City" set afire. Firemen back from England. British capture Sidi Baranni. Hull warns of invasion peril. Paralysis drive. Golden Gloves.

PARAMOUNT NEWS, No. 41—British in Libyan victory. British commerce on the Mediterranean. *Illustrious* after bomber attack. Italian prisoners in Greece. Fire in London. Launch paralysis drive.

RKO PATHE NEWS, No. 41—Nazis set sections of London afire. Italian prisoners in Egypt. "March of Dimes" drive opens. Passengers moved from *Manhattan*. Hat fashions. British reinforcements in Greece. Golden Gloves.

UNIVERSAL NEWSREEL, No. 946—Italian prisoners taken at Sidi Baranni. *Illustrious* in Mediterranean battle. Fire in London. New York firemen return from war zone. Troops off for Newfoundland. Passengers leave *Manhattan*. Cat show in New York. Stock car race in California. Golden Gloves. "March of Dimes."

Trust Suit Against Interstate Settled

DALLAS, Jan. 16.—The anti-trust action brought by Sam Kirscheimer, Houston exhibitor, against Interstate Circuit, was dismissed in Federal Court here today after a settlement, the terms of which were not revealed.

The suit of H. N. Jorgenson, owner of the East Grand here, against Interstate, ended yesterday with a verdict of $1,500 damages, tripled, plus attorney fees. Jorgenson had sought $18,000 triple damages. The action of R. Z. Glass of Houston against the circuit is scheduled for trial Monday.

Penner Rites Held

HOLLYWOOD, Jan. 16.—Services were held here today for Joe Penner, stage, screen and radio comedian, who died Friday in Philadelphia. Jack Oakie, Carroll Tracy, Amory Ekeley, Charles Correll, Dr. Charles Pincus, Ned Kaufman, Joe Nolan and James Starr were pallbearers.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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'Comrade X' With $53,800 Hit in Boston

BOSTON, Jan. 16.—In a week of good grosses, "Comrade X" and "Gallant Sons" drew a total of $53,800 at two houses, $24,100 at Loew's State and $29,700 at Loew's Orpheum. "San Francisco Docks" and "George White's Scandals" on the Keith Boston stage, took $16,100.

Estimated takings for the week ending Jan. 8-10:

"San Francisco Docks" (Univ.)
KEITH BOSTON—(3,200) (35c-40c-55c-65c) 7 days. On stage: "George White's Scandals," with Ben Blue and Mildred Fenton. Gross: $16,100. (Average, $8,000)

"Kitty Foyle" (RKO)
"Saint at Palm Springs" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 9 days. Gross: $23,200. (Average, $16,000)

"Santa Fe Trail" (W. B.)
"A Night at Earl Carroll's" (Para.)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 8 days. Gross: $19,800. (Average, $15,500)

"Love Thy Neighbor" (Para.)
"Lady with Red Hair" (W. B.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 8 days. Gross: $9,100. (Average, $7,500)

"Love Thy Neighbor" (Para.)
"Lady with Red Hair" (W. B.)
FENWAY—(1,320) (25c-35c-40c-55c) 8 days. Gross: $4,900. (Average, $4,500)

"Tin Pan Alley" (20th-Fox)
"Kit Carson" (U.A.)
SCOLLAY—(2,500) (25c-44c-55c) 8 days. Gross: $4,100. (Average, $4,000)

"Comrade X" (M-G-M)
"Gallant Sons" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 11 days. Gross: $24,100. (Average, $12,000)

"Comrade X" (M-G-M)
"Gallant Sons" (M-G-M)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 11 days. Gross: $29,700. (Average, $17,500)

'Command' Seattle Best With $8,500

SEATTLE, Jan. 16.—"Flight Command" at the Fifth Avenue took a strong $8,500. "Sante Fe Trail" took $6,100. Others were slow. The weather was warm and clear.

Estimated takings for the week ending Jan. 10:

"Comrade X" (M-G-M)
"Dr. Kildare's Strange Case" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,400. (Average, $4,000)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,500. (Average, $7,000)

"Arizona" (Col.)
LIBERTY—(1,800) (30c40c-50c-65c) 7 days, 3rd week. Gross: $4,600. (Average, $5,000)

"Little Nellie Kelly" (M-G-M)
"Gallant Sons" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $3,700. (Average, $4,000)

"Santa Fe Trail" (W. B.)
"Meet the Wildcat" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,100. (Average, $6,000)

"One Night in the Tropics" (Univ.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $4,800. (Average, $5,000)

"Chad Hanna" (20th-Fox)
"Charter Pilot" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $5,100. (Average, $6,000)

Hart Play Delayed

"Lady in the Dark," musical play by Moss Hart, scheduled to open last night at the Alvin, has been postponed due to the illness of Gertrude Lawrence, the star. The play is now scheduled to open next Thursday.

'Kitty Foyle' Holds Pace in Chicago, Drawing $22,000

CHICAGO, Jan. 16.—"Kitty Foyle," dualed with "The Saint at Palm Springs," scored an excellent $22,000 in the second week at the Palace. "Night in the Tropics," plus a stage show, drew $17,000 at the Oriental.

Estimated takings for the week ending Jan. 10:

"Arizona" (Col.)
APOLLO—(1,400) (35c-55c-75c) 7 days, 3rd week. Gross: $6,500. (Average, $6,500)

"Love Thy Neighbor" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage Show. Gross: $30,000. (Average, $32,000)

"Bitter Sweet" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,000. (Average, $5,000)

"Night in The Tropics" (Univ.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Mills Bros. & Thurston Magic show. Gross: $17,000. (Average: $13,000)

"Kitty Foyle" (RKO)
"Saint at Palm Springs" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days, 2nd week. Gross: $22,000. (Average, $13,000)

"Thief of Bagdad" (U. A.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days, 3rd weke. Gross: $8,000. (Average, $11,000)

"Sky Murder" (M-G-M)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Fats Waller & Band. Gross: $17,000. (Average, $15,000)

"Comrade X" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)

'Spitfire' and Show High in Cincinnati

CINCINNATI, Jan. 16.—"Mexican Spitfire Out West" with a stage show, "Streets of Paris," scored a strong $14,500 at the RKO Shubert.

Estimated takings for the week ending Jan. 8-11:

"Love Thy Neighbor" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $13,500. (Average $12,000)

"Comrade X" (M-G-M)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)

"Mexican Spitfire Out West" (RKO)
RKO SHUBERT—(2,150) (44c-60c) 7 days. Stage: "Streets of Paris." Gross: $14,500. (Average, $10,000)

"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (50c-55c-60c) 7 days, 2nd week. Gross: $11,000. (Average at 33c-40c-50c, $5,500)

"Son of Monte Cristo" (U.A.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $5,000.

"Philadelphia Story" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. 4th downtown week (previous three at advanced prices.) Gross: $4,600. (Average, $4,500)

"Cherokee Strip" (Para.)
"Pride of the Bowery" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,300. (Average, $1,200)

"Great Plane Robbery" (Col.)
"False Rapture" (F.A.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800.)

"Santa Fe Trail" (W.B.)
KEITH'S—(1,450) (33c-40c-50c) 7 days, 2nd week. Gross: $4,600. (Average, $5,000)

Three 'Fantasia' Engagements Set

Three new roadshow engagements for Walt Disney's "Fantasia" have been set, according to Hal Horne, distribution chief. The film will open at the Majestic in Boston on Jan. 28, at the Carthay Circle in Los Angeles on Jan. 29 and at the Aldine in Philadelphia on Feb. 12. Prices will be $1.50 top for evenings and $1.10 top for matinees, on a two-a-day basis.

The Boston engagement will be sponsored by the New England Town Hall and the Institute of Modern Art and the Philadelphia run by the Junior League.

20th-Fox Awards to British, China Units

W. J. Hutchinson, director of foreign distribution for 20th Century-Fox, has given special awards for 1940 to the company offices in England and China, for their work under "extremely hazardous conditions" during the year.

'Foyle' at $16,000 Big in Providence

PROVIDENCE, Jan. 16.—Aided by capacity houses at increased prices on New Year's Eve and excellent holiday business, box-offices were unusually busy. "Kitty Foyle" and "The Saint at Palm Springs" took $16,000 in nine days at the RKO Albee.

Estimated takings for the week ending Jan. 8-9:

"Kitty Foyle" (RKO)
"The Saint at Palm Springs" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 9 days. Gross: $16,000. (Average, for 7 days, $6,000)

"Comrade X" (M-G-M)
"The Lone Wolf Keeps a Date" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 9 days. Gross: $17,700. (7-day average, $11,000)

"Santa Fe Trail" (W. B.)
"Where Did You Get That Girl?" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 8 days. Gross: $10,500. (7-day average, $7,000)

"Love Thy Neighbor" (Para.)
"Who Killed Aunt Maggie?" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $10.000. (Average, $6,000)

"Her First Romance" (Mono.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Harry James and Orchestra; Johnny Downs; Sue Ryan; and the Six Grays. Gross: $3,500. (Average, $4,000)

"The Thief of Bagdad" (U. A.)
"Nobody's Children" (Col.)
CARLTON—(1,526) (28c-39c-50c) 9 days, 2nd week. Gross: $2,000. (7-day average, $3,500)

"Fargo Kid" (RKO) (3 days)
"The Border Legion" (Rep.) (7 days)
"Banjo On My Knee" (20th-Fox) (7 days)
FAY'S—(1,800) (15c-28c-39c-44c) 3-day Stage show with Patti Pickens, Robert Simmons, Bobby (Uke) Henshaw and Family, Gonzales Family, the Four Macks, and Smith, Rogers & Eddy. Gross: $6,000. (7-day average, $2,500)

"Tin Pan Alley" (20th-Fox) (3 days)
"Charter Pilot" (20th-Fox) (3 days)
"North West Mounted Police" (Para.) (4 days)
"Street of Memories" (20th-Fox) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $2,400. (Average, $2,000)

'Mounted' Scores $23,000, Baltimore

BALTIMORE, Jan. 16.—"North West Mounted Police" scored a smash $23,000 at the Stanley.

Estimated takings for the week ending Jan. 9:

"Comrade X" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 10 days. Gross: $17,500. (Average, $10,000)

"Invisible Woman" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $9,000. (Average, $9,000)

"Hudson's Bay" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $10,000. (Average, $7,000)

"North West Mounted Police" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 10 days. Gross: $23,000. (Average, $12,000)

"Kitty Foyle" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 8 days. On stage: Benny Davis and his "Star Dust Revue." Gross: $19,000. (Average, $14,000)

Pascal En Route Here

LONDON, Jan. 16.—Gabriel Pascal, producer of "Major Barbara," left London today, en route to the United States via Lisbon, where he will board a plane or boat.

'Story' Smash Grosser at 3 L.A. Theatres

LOS ANGELES, Jan. 16.—"The Philadelphia Story," playing in three theatres here simultaneously, grossed a total of $43,200, with $11,000 at the Carthay Circle, $15,700 at the Chinese and $16,500 at Loew's State.

Estimated takings for the week ending Jan. 8:

"The Philadelphia Story" (M-G-M)
CARTHAY CIRCLE—(1,518) (33c-44c-55c) 6 days. Gross: $11,000 (Average, $17,000)

"The Philadelphia Story" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 6 days. Gross: $15,700 (Average, $12,500)

"Flight From Destiny" (W. B.)
4 STAR—(900) (44c-55c) 2nd week. Gross: $3,800 (Average, $3,250)

"No, No, Nanette" (RKO)
"The Saint in Palm Springs" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 6 days. Gross: $9,900 (Average, $6,500)

"The Philadelphia Story" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 6 days. Gross: $16,500 (Average, $14,000)

"No, No, Nanette" (RKO)
"The Saint in Palm Springs" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 6 days. Gross: $9,200 (Average, $7,000)

"Love Thy Neighbor" (Para.)
PARAMOUNT—(3,595) (44c-55c-75c) 7 days. Stage: Peter Lind Hayes & Fanchonetts—Rube Wolf Orchestra. Gross $20.000. (Average $18,000)

"Santa Fe Trail" (W.B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $13,200. (Average, $14,000)

"Santa Fe Trail" (W.B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $12,000)

'Hanna' and Gray $22,000, Cleveland

CLEVELAND, Jan. 16.—"Chad Hanna" and Glen Gray's Casa Loma orchestra on the stage of RKO Palace rang up an excellent $22,000 here in a good week.

Estimated takings for the week ending Jan. 9:

"Here Comes the Navy" (W. B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)

"Santa Fe Trail" (W. B.)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days, 2nd week. Gross: $12,000. (Average, $11,000)

"Chad Hanna" (20th-Fox)
RKO PALACE—(3,100) (33c-47c-55c) Glen Gray on stage. 7 days. Gross: $22,000. (Average, $13,000)

"Comrade X" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 3 days, 2nd week. Gross: $5,000. (7-day average, $11,000)

"Love Thy Neighbor" (Para.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 10 days. Gross: $7,500. (7-day average $4,000)

'Comrade X' Takes Indianapolis Lead

INDIANAPOLIS, Jan. 16.—"Comrade X" and "Golden Fleecing" did $15,000 in a 10-day run at Loew's and "Santa Fe Trail" was good for $12,000 in 10 days at the Indiana.

Estimated takings for the week ending Jan. 10:

"Love Thy Neighbor" (Para.)
"Meet the Wildcat" (Univ.)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)

"Santa Fe Trail" (W. B.)
INDIANA—(3,200) (28c-33c-44c) 10 days. Gross: $12,000. (7-day average, $5,500)

"Comrade X" (M-G-M)
"Golden Fleecing" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 10 days. Gross: $15,000. (7-day average, $7,000)

"Jennie" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Greater Marcus Show. Gross: $8,800. (Average, $8,000)

Industry Is Not Inciting To War: Hays

(Continued from page 1)

"unbridled propaganda" for war.

Hays expressed his appreciation of Senator Wheeler's action in sharing with him the opinions and impressions which had been brought to the Senator's attention, resulting from motion picture treatment of defense and war topics.

Hays' letter relates that a 10-month analysis of the five newsreels shows that of 3,915 different subjects included, 16 per cent, or 646 clips, related to national defense efforts of a factual nature. The reels also carried war coverage and Latin American subjects.

Three Shorts on War

An analysis of 707 short subjects approved by the Production Code Administration during 1940 reveals that only 14 dealt with governmental activities and three with the European war, or approximately 2.4 per cent of the total. A further analysis, Hays' reply states, reveals that of the 530 features for which P.C.A. seals were issued last year, only 27, or five per cent of the total, "pertained in any way whatsoever to international politics or current events in Europe."

Hays calls the attention of Senator Wheeler to a statement Hays issued in 1939 following the proclamation of American neutrality. The statement reads in part:

"The primary purpose of the essential service of motion pictures is entertainment. There may be pictures in which war is an element, but 'hate' pictures, made for the purpose of stirring up animosity, have no place on the American screen and certainly are no part of the purpose of the organized motion picture industry."

"This quotation," Hays' letter states, "continues to reflect the established policy of the industry, which most emphatically is not to carry on 'a violent propaganda to incite the American people to war.'"

"Surely," Hays concludes, "the charge cannot lie that patriotic pictures emphasizing the American way of life are war propaganda; that vital portrayals of the horror and tragedy of the European war glorify such conflict."

Recognizes Obligation

"The American motion picture industry," Hays wrote, "recognizes its obligation to aid the nation in the present emergency and expects to do its full duty. But motion picture cameras have caught and recorded far too much of the tragedy and horror of modern war for this industry's leaders to disregard the consequences of American belligerency, much less deliberately use the screen for war propaganda."

Senator Wheeler had threatened the industry with regulatory legislation unless it adopted a "more impartial attitude" in presenting subjects related to the war.

Support Decree, Department Of Justice Asks Exhibitors

(Continued from page 1)

atre acquisition reported by the consenting defendants.

"Since the entry of the decree," it was commented, "certain acquisitions of competing independent theatres have been completed or contemplated which are apparently intended to eliminate the possibility of the independent theatres' securing relief that the decree was intended to provide.

"While action under Section XI (5) of the decree is limited to acquisitions which are a part of a general program of expansion," it was warned, "the department is free to proceed under the act itself to enjoin or divest acquisitions which are attempted or made with the purpose and effect of suppressing or eliminating competition, whether made by the consenting defendants or others."

Procedure on Complaints

It was announced also that the unit will receive complaints which are not recognizable under the decree and recommend such action as is not inconsistent therewith, and will also receive and investigate complaints which involve Sherman Act violations by distributors and exhibitors who are not parties to the decree. In the case of complaints which do not involve sufficient public interest to warrant litigation by the Government, the matters will be referred to the parties complained against for voluntary adjustment.

No exhibitors' complaint will be referred or disclosed to any distributor or other person complained against, except in the course of legal proceedings, without the express authorization of the complaining exhibitor, it was stressed.

It was pointed out that while there is no objection to the simultaneous clearing of exhibitor complaints through any exhibitor organization, all complaints should be forwarded direct to the anti-trust division as they arise so that investigations may be made immediately, instead of attempting to investigate numbers of complaints at a later date.

To insure intelligent action, all complaints must present a full picture of the theatre situation of the exhibitor.

Another phase of the unit's work will be the observation and evaluation of the effect of the decree on the industry as a whole by studies of the extent to which arbitration succeeds in fairly adjusting specific exhibitor complaints of which the department has knowledge; the general effect of the decree, and particularly the new method of selling, on competition between the independent and affiliated groups, and the effect of new selling methods on competition in producing and distributing films.

At the end of the three-year trial period, the unit will attempt to answer and make specific recommendations on the questions whether the trial period has demonstrated that the competition required by the Sherman Act can be achieved without divorce of exhibition; and if so, whether changes must be made in other provisions of the decree to achieve such competition and, if modification is necessary, what specific changes should be made.

"The above outline of the proposed activities of the decree unit is necessarily tentative and subject to modification in the light of experience," the department said.

"All exhibitors and their organizations must know that without their wholehearted support, neither the decree nor the decree unit can function properly. While the department is heartily in favor of the settlement of individual differences without resort to arbitration by voluntary agreement between the parties involved wherever the agreement is a fair one, it should be borne in mind that the decree was intended to relieve small exhibitors from the pressure which large circuits and distributors have been able to exert in the past with respect to the terms of such informal settlements. Unless free use of the arbitration machinery established by the decree is made by all exhibitors, this purpose will not have been fulfilled."

Will Prosecute 'Coercion'

The department expressed the belief that there is no cause for fear of reprisals on the part of exhibitors who insist on filing arbitration complaints rather than accepting negotiated settlements, but declared it will prosecute for contempt any person who attempts to prevent an exhibitor from exercising any of his rights under the decree "by economic coercion or otherwise."

"The questions which will be up for decision on Nov. 20, 1943, must inevitably be largely determined by the data collected by the department during the preceding three-year period," it was pointed out. "Unless exhibitors make full use of the arbitration procedure set up by the decree and supply full information with respect to the effect of the decree on their business to the decree unit, that data will be woefully incomplete. Without such exhibitor cooperation on a substantial scale, these questions are certain to be erroneously decided, to the detriment of exhibitors and the industry as a whole."

'Wind' Returning; Storm Hits B'way

(Continued from page 1)

"Kitty Foyle" gave the Rivoli a very good first week with an estimated $30,000.

The third week of "The Philadelphia Story" with a stage show at the Radio City Music Hall brought an estimated $95,000, and it continues a fourth week. The Capitol grossed about $26,000 for the third and final week of "Comrade X."

"Convoy" opened at the Rialto yesterday, succeeding "Invisible Woman," which garnered an estimated $9,000 in eight days.

"The Great Dictator" drew about $14,600 in its 13th week at the Astor. The 10th week of "Fantasia" at the Broadway was good for about $22,000.

7 Companies' Gross in 1939 $411,000,000

(Continued from page 1)

totaled $531,00,000 at the end of the 1938 year and declined to $529,000,000 by the end of 1939; current assets increased from $174,000,000 to $184,000,000, but land, buildings and equipment at their book value declined from $288,000,000 to $276,000,000, and related reserves dropped from $119,000,000 to $118,000,000.

The liability side of the combined balance sheet revealed a decrease in total liabilities from $48,000,000 to $47,000,000 during the year. The long-term debt declined from $146,000,000 to $138,000,000, while stockholders' equity, as indicated by the total book value of capital stock and surplus, increased from $307,000,000 to $319,000,000.

A breakdown of the figures showed that the sales of the companies individually were as follows: Columbia Pictures, $22,174,000; Loew's, $112,490,000; Monogram, $2,912,000; Paramount, $96,183,000; 20th Century-Fox, $53,752,000; Universal Corp., $22,148,000; Universal Pictures, $22,187,000; Warner Brothers, $102,083.

Net Profits Cited

Net profits after all charges were: Columbia, $512,000 (year ended June 29, 1940); Loew's, $9,538,000 (year ended Aug. 31, 1939); 20th Century-Fox, $4,240,000 (year ended Dec. 30, 1939; Universal Corp., $999,000, and Universal Pictures, $1,153,000 (year ended Oct. 28, 1939); Warner Brothers, $1,741,000 (year ended Aug. 26, 1939); Monogram, deficit of $180,000 to June 29, 1940, after profit of $42,000 to July 1, 1939, shown by interim report; Paramount, $2,758,000 (year ended Dec. 30, 1939).

Highest Compensations

The three highest remunerations paid by the several companies were: Columbia, $206,250, $199,999 and $170,000 with total remuneration of all officers and directors $524,048; Loew's, $688,369, $355,000 and $328,817 with all officers and directors paid $2,106,856; Monogram, $25,000, $20,400 and $20,000 with $77,694 to all officers and directors during the period of the interim report, and $20,000, $12,500 and $11,083 with all receiving $46,770 for the following period; Paramount, $250,000, $240,333 and $236,635, with all officers and directors receiving $849,998.

Twentieth Century-Fox, $255,000, $249,166 and $235,000, with all officers and directors receiving $853,943; Universal Corp., $68,355, $53,000 and $41,373, with all officers and directors receiving $214,645; Universal Pictures, $196,000, $174,916 and $150,000, with all officers and directors receiving $450,957, including $91,000 paid Standard Capital Co. for services of the chairman of the board; Warner Brothers, $260,000, $243,000 and $181,333, with all officers and directors receiving $1,016,073.

Alert,
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Industry

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VOL. 49. NO. 13 NEW YORK, U. S. A., MONDAY, JANUARY 20, 1941 TEN CENTS

Warner Net Is $1,276,316 For Quarter

Compares With $642,129 For 1939 Period

Warners and subsidiary companies report net profit of $1,276,316, after all charges, for the 13 weeks ending Nov. 30, 1940, the first quarter of the company's fiscal year. This compares with net profit of $642,129 for the corresponding 1939 quarter.

The profit is equal to $12.81 per share on the 99,617 shares of preferred stock outstanding, and 31 cents per share on 3,701,090 shares of common stock outstanding.

Income for the period amounted to $24,934,488, and operating costs $21,462,516. Amortization and depreciation of properties amounted to $1,123,-

(*Continued on page 6*)

Mexican Considers Producing in Texas

San Antonio, Tex., Jan. 19.—J. U. Calderon, head of Aztec Distributing Co., Mexican distributor, has conferred here with Mayor Maury Maverick on the possibility of producing Mexican films in this city.

Calderon was introduced to the Mayor by prominent local citizens and Mayor Maverick pointed out to the Mexican film executive the advantages of San Antonio as a site for production. Calderon conferred also with a number of leading San Antonio citizens and visited a number of local sites.

Mexican production has been facing increasing difficulties during the past several years, handicapped chiefly by labor problems, the lack of Government aid, and insufficient working capital.

Jenkins' Decree Talk Schedule Set

Felix A. Jenkins, 20th Century-Fox general counsel, next weekend will leave the Coast, where he is conferring with company executives, for a series of consent decree discussions at the company's branches. Jenkins has prepared a handbook on the decree, designed for the sales force.

He plans to visit all branches in the United States and Canada. Tentative

(*Continued on page 6*)

Judging List Large For Quigley Awards

A record number of executives are expected to participate in the judging for the Quigley Grand Awards, sponsored by the Managers' Round Table of *Motion Picture Herald*, to be held at the Hotel Astor on Jan. 28. Following the judging in this seventh annual exploitation competition, Martin Quigley will be host at a luncheon for the judging committee and guests. Industry leaders will speak at the luncheon.

'Time' Release Set Despite Wheeler

The March of Time will release its latest issue, "Uncle Sam—The Non-Belligerent," in the form in which it was completed, despite a demand for deletions made by Senator Burton K. Wheeler, March of Time announced over the weekend.

Resuming his attacks against alleged war propaganda on the screen, Wheeler telegraphed Louis de Rochemont, editor of the March of Time, demanding that his picture and statements be deleted from the reel.

Wheeler, who saw the film late last week, charged de Rochemont with bad faith, explaining that he had understood his statements would be used equally with those of President Roosevelt or his supporters, "and not just one sentence."

In his reply to Senator Wheeler, de

(*Continued on page 6*)

Nazis Reorganize Trade in Holland; Dominate Market

By PHILIP DE SCHAAP

Amsterdam, Jan. 19.—The Dutch film trade has been virtually reorganized since the Nazi occupation, with a number of changes in the Dutch Bioscoop Bond, trade organization, changes in theatre management, and the like. German interests dominate.

All American product, which up to May 10 last accounted for more than 60 per cent of the product in Holland, and all French and English films have been prohibited by the Nazi authorities. This includes newsreels.

Only Columbia, represented by Loet C. Barnstijns Filmdistributie, and RKO have been permitted to release short subjects, but RKO films are fast disappearing from the market.

Ufa and Tobis, the German companies, now dominate this market. They are the only companies releasing new product. Several independents offer old German films, and Profilti, Dutch newsreel company, supplies some short product and newsreels.

Shipment of films has been seriously restricted by the lack of gas and oil. Ufa and Tobis have taken over many of the country's leading theatres, and gained control over considerable circuit operation, from the Dutch owners. Theatre business is far below average, chiefly because few people venture from their homes at night. Double bills are no longer permitted. The prohibition on American, English and French product has resulted in the closing of about 27 offices.

Short-Wave Hookup Set For Inaugural Address

Five international short wave stations operated by NBC, General Electric and Westinghouse will be hooked up into a single network today for the broadcast of President Roosevelt's inaugural address. The agreement was effected Friday by John F. Royal, NBC vice-president in charge of international relations.

NBC's rebroadcasting agreements with stations in Central and South America assure that at least 50 stations between Havana and Buenos Aires will pick up the program and rebroadcast it either in Spanish or Portuguese, Royal said.

Each of the five stations will concentrate on a special audience. The Westinghouse station in Boston with

(*Continued on page 8*)

Agencies Exempted In Labor Measure

Albany, Jan. 19.—Theatrical employment agencies and theatrical and radio booking offices are specifically exempted from provisions of a bill introduced in the legislature on Friday by Assemblyman Ralph Schwartz which amends labor and business laws to regulate fee-charging employment agencies.

Details of proposed legislation to tax chain stores are being worked out for early introduction. Former measures of the kind have included theatre circuits but these may be exempted in the forthcoming legislation, it is understood.

BMI Courting Exhibitors in Ascap Battle

Kuykendall Voices His Support of Radio

Broadcast Music, Inc., is courting exhibitor support in its campaign against Ascap, it was learned over the weekend. Ed Kuykendall, M.P.T.O.A. president, while asserting that the national exhibitor organization had not "been invited to participate in the radio-Ascap fight," added that "we naturally wish radio well in its efforts to defeat a monopoly."

It was learned that BMI has endeavored to obtain some expression from Kuykendall concerning exhibitors' views on the broadcasters' "war" with Ascap, particularly since an M.P.T.O.A. bulletin several weeks ago which said that while exhibitors are not directly involved in the fight it may have results which will affect them.

In addition, the National Association of Broadcasters has prepared reprints of a letter, sent to *Newsweek* by A. B. Harris of the Echo Theatre, Encampment, Wyo., attacking Ascap's music tax on theatres, and is mailing

(*Continued on page 8*)

RKO Starts 'Smith' Previews in Buffalo

First preview of RKO's "Mr. and Mrs. Smith" was at the Century in Buffalo Friday night, with local exhibitors and newspapermen as guests. The film was screened in addition to the regular show. Similar previews have been set for all exchange cities beginning today and ending Jan. 28. RKO district and branch managers will be hosts at the screenings.

Gus Schaefer, Northeastern district manager; Elmer Lux, branch manager; Terry Turner, head of the field exploitation staff, and Harry Reiners and George Degnon, field representatives, attended the Buffalo showing.

Reviewed Today

Reviews of "High Sierra," "Trail of the Silver Spurs" and "Night of the Mayas" will be found on Page 7. Short Subject Reviews are on Page 6.

Seeks Child Ban In School Hours

Cincinnati, Jan. 19.—The Cincinnati Parent-Teachers Association has urged Mayor James G. Stewart to prepare an ordinance for the City Council to prohibit attendance of school children at theatres during school hours. It is expected that such a measure will be introduced in the Council shortly.

Gilbert Miller Joins Lester Cowan in Unit

Gilbert Miller, play producer, and Lester Cowan, have joined in an arrangement to co-produce a film, "Ladies in Retirement," from the play of the same name which Miller presented on Broadway early this year and is now on the road. The film will be released by Columbia. The transaction was handled by Attorney William Jaffe, of the law firm of Rosenblatt & Jaffe.

The play opened on Broadway on March 26, 1940, and closed in midsummer. Flora Robson and Estelle Windward held leading roles. Others in the cast were Evelyn Ankers, Isobel Elsom, Patrick O'Moore, Jessina Newcombe and Florence Edney. Rosana Feaborn has the road company part filled in the Broadway presentation by Miss Ankers.

Phillips Resuming Decree Trip Soon

Louis Phillips, Paramount home office attorney, returned to Chicago last night after several days in New York. He will represent Paramount in the trial of a plagiarism suit in in Chicago this week and then will resume his tour of Paramount exchanges in the Midwest and Far West to instruct the sales staffs in consent decree regulations.

Phillips has already visited the Milwaukee, Kansas City, St. Louis and Indianapolis exchanges. He will hold an exchange meeting while in Chicago this week and then visit the Omaha, Des Moines and Minneapolis exchanges. After appearing for Paramount in the La Crosse, Wis., anti-trust suit trial at Madison on Feb. 17, he will tour Paramount exchanges in the Far West.

20th-Fox Meeting Held in Chicago

Chicago, Jan. 19.—A Central division sales meeting of 20th Century-Fox was held here Thursday and Friday at the exchange. William C. Gehring, Central division manager, presided and discussed current season's sales progress. Attending were M. A. Levy, Minneapolis district manager; and branch managers Clyde Eckhardt, Chicago; Lester Sturm, Detroit; George T. Landis, Indianapolis, and Jack Lorentz, Milwaukee; and Ted A. Shaw, assistant to Gehring at the home office.

Langton Leaves Para.

Hollywood, Jan. 19.—Francis Langton, head of the Paramount writers' department, resigned over the weekend. He was with the company nine years.

Personal Mention

DAVID LOEW, United Artists producer, who is in New York, has recovered from an attack of the flu.

•

Alexander Korda, who was scheduled to leave for the coast Saturday, postponed his departure because of illness.

•

Charles E. McCarthy, director of advertising and publicity for 20th Century-Fox, is due today from studio conferences.

•

T. R. Thompson has returned to Kansas City, where he is RKO branch manager, after a New York visit.

•

H. M. Richey, assistant to William F. Rodgers, general sales manager of M-G-M, addressed Des Moines film groups late last week en route to the Coast.

•

Ted Schlanger and Jay Emanuel have been named associate chairmen for the film industry in the United Charities campaign in Philadelphia.

•

Barney Pitkin, RKO manager in New Haven, and Mrs. Pitkin are vacationing in Florida.

•

Earl Wright, 20th Century-Fox salesman in New Haven, has returned from a fishing trip to St. Petersburg, Fla.

•

Lee Shubert is at Miami Beach.

HARRY COHN, president of Columbia Pictures, is expected in New York in about two weeks.

•

Charles S. Chaplin, recently appointed U. A. branch manager in Montreal, was given a farewell dinner recently in St. John, N. B., where he formerly was manager.

•

F. R. Moran, Republic manager in Des Moines, is confined to his home with the flu.

•

A. A. Fowler, exhibitor in Douglasville, Ga., is attending the legislature at Atlanta as a State Senator.

•

Leo F. Wolcott, operator of the New Grand, Des Moines, has been nominated by the American Legion there for the community service award.

•

Thelma Gayer of the Indianapolis 20th Century-Fox exchange has been married to Murray Patterson.

•

J. Dennis Welsh of Movietone News in Philadelphia spoke on newsreel work at meeting of the Council of Jewish Juniors there.

•

George Lofink, formerly with Universal in Des Moines, was married recently to Charlene R. Clark.

•

Robert Riskin arrives here from the Coast today for conferences at the Warner home office.

•

Oscar Levant has left for the coast.

100 at Banquet to Schlank in Chicago

Chicago, Jan. 19.—More than 100 film men and exhibitors attended a banquet at the Congress Hotel here Friday night honoring Irving Schlank, United Artists branch manager, who has been promoted to district manager. Jack Kirsch, president of Allied of Illinois, presented him a diamond wrist watch on behalf of those present. Schlank is district manager for Chicago, Milwaukee and Minneapolis.

'Western Union' Set For Roxy on Jan. 31

World premiere of "Western Union," 20th Century-Fox film, is scheduled for the Roxy on Broadway Jan. 31. Pre-release engagements in major cities will be set after the "Western Union" broadcast on the Kate Smith Hour on CBS the evening of the New York opening. The broadcast will originate in Washington, featuring several 20th Century-Fox players who will be in the capital to attend the President's birthday ball.

Banford Recovering

Chicago, Jan. 19.—W. E. Banford, M-G-M head here, who is ill at St. Luke's Hospital, is expected to leave the hospital in about a week. He underwent blood transfusions.

Powell's Father Dies

Hollywood, Jan. 19.—Horatio W. Powell, 75, father and business manager of William Powell, died over the weekend.

Pennsylvania Allied Reelects Samuelson

Philadelphia, Jan. 19. — Sidney Samuelson was reelected business manager of Eastern Pennsylvania Allied at a meeting of the board of governors of the organization here Friday.

Other officers reelected are: E. E. Gregory, secretary; Ben Fertel, treasurer, and Sally Fisher, assistant secretary. Joseph Conway was named national director for the organization with David Milgram as alternate. Appointed to the finance committee were Harry Chercoff, Milton Rogasner, Charles Stiefel, Conway and Milgram, with Gregory and Fertel ex-officio members.

Hartwig Rites Held

Funeral services were held yesterday at the Campbell Funeral Parlors for Walter Hartwig, outstanding contributor to the "little theatre" movement, who died Friday at Doctors Hospital at the age of 61. He was an associate of David Belasco and Daniel Frohman.

Alfred Boyden Dead

Worcester, Mass., Jan. 19—Alfred E. Boyden, 72, assistant manager of the Plaza and the former Grand when they were operated by the late S. Z. Poli, died here last week.

Mrs. Anna McGrath Dies

Scranton, Pa., Jan. 19. — Mr. Anna McGrath, who was employed by Comerford Theatres, Inc., for 23 years, died at her home here recently after a brief illness.

India Producing 400 Films Yearly

Montreal, Jan. 19.—India has a producing industry which is turning out at least 400 double length features each year, and is developing many players, according to Michael Gordon, art director and producer of Bombay, and a recent visitor to Montreal.

"Indians like long pictures," he said. "They like them to take three to three and a half hours in showing." Production costs of Indian pictures remain extraordinarily low according to U. S. standards. "A star, under contract to work on a feature picture for three months, can live like a princess on $1,400 as her pay for the period," Gordon said. A 12 to 14-reel picture with 10 prints will cost between $50,000 and $100,000 complete.

"There are about 16 first rate companies in India," said Gordon. "Most of them produce pictures only in Hindustani, for that is the language of about 200,000,000 of India's population, and many of the others understand it too."

Philadelphia Club Committees Named

Philadelphia, Jan. 19.—Dr. Leon Levy, chief barker of the local Variety Club, has appointed the following standing committees for the new year: Motion Pictures—Ted Schlanger, Robert Lynch, George Schwartz; Cards—Ben Fertel, Maxwell Gillis, Leo Posel; Entertainment—Harry Biben, Stanley Broza, Oscar Neufeld, Lawrence Shubert; Membership—William J. Clark, Earle W. Sweigert, William MacAvoy, Sam Gross; Rules and Resolutions—Al Cohen, Harry Ball.

Convention—Earle W. Sweigert, Frank Elliott, George F. Weilland, Frank Gravat, Emanuel Munzer, Mort Lewis, Jay Emanuel, Ben Fertel, Myer Adelman, Sam Stiefel, Jack Greenberg; Charity—Charles Goldfine, Martin D. Ellis, Harry Wiener, Myer Adelman, Irwin Charlap; Welfare—Sidney E. Samuelson, Melvin Fox, Elmer Wilschke; House—Henry Friedman, Oscar Neufeld, William MacAvoy, Dave Supowitz, Leo Beresin; Luncheon—Al Davis, Sam Gross, Roger W. Clipp, Jack Kraker, Jack Greenberg.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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OO-O-H!... THAT KISS

THEY LOVE IT!

The 'Honeymoon' started this week at Warner, Memphis — and is it wonderful!

ANN

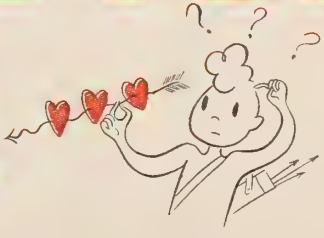
SHERIDAN

GEORGE

BRENT

Make Kisstory in

HONEYMOON FOR THREE



with

CHARLIE RUGGLES · OSA MASSEN · JANE WYMAN

WILLIAM T. ORR · LEE PATRICK · Directed by LLOYD BACON

Screen Play by Earl Baldwin • Additional Dialogue by Julius J. and Philip G. Epstein • From the Play by Allan Scott and George Haight

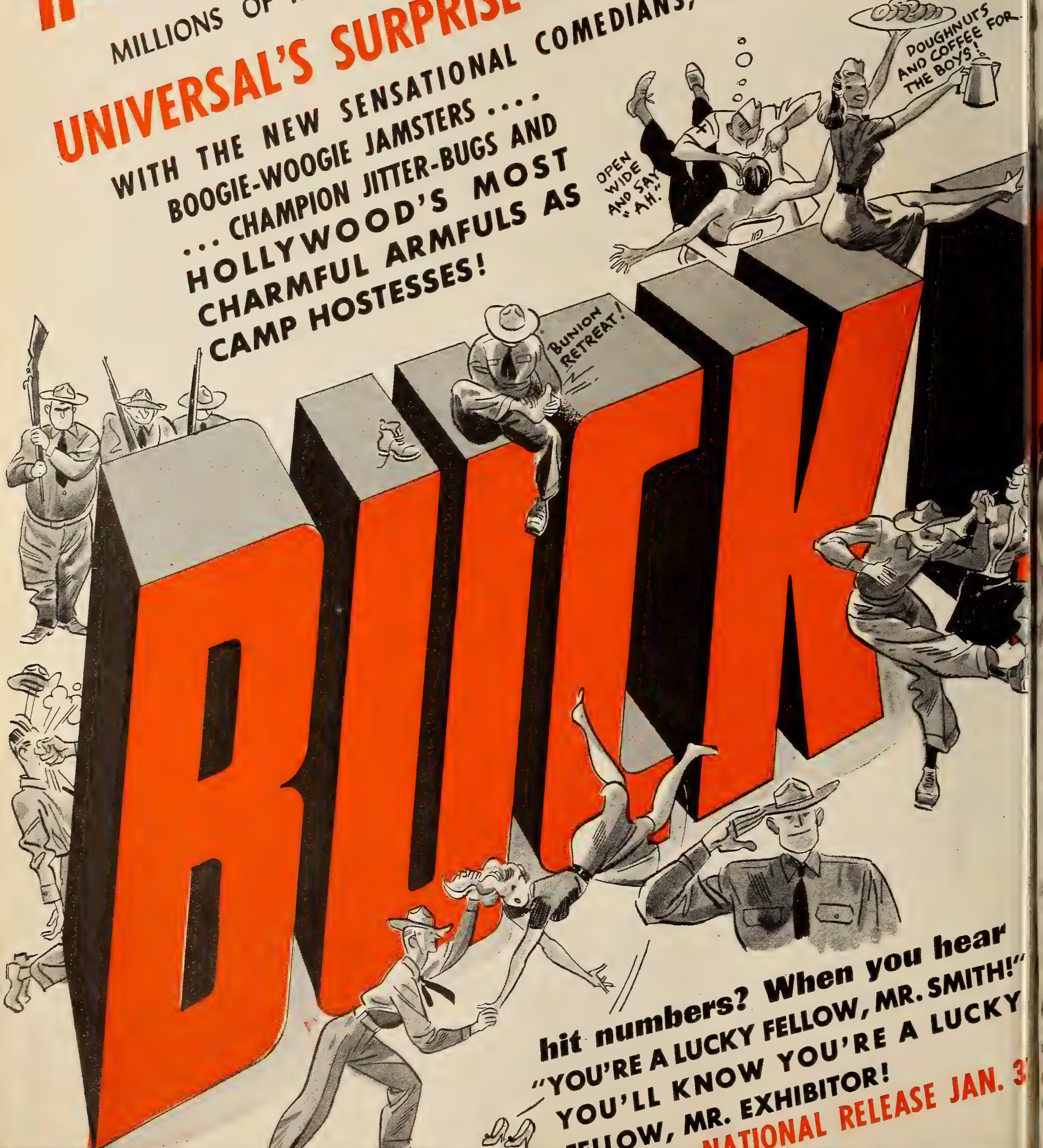
GREAT FUN!
WARNERS
producers

Here's "No. 158!"

—THE FIRST PICTURE ABOUT UNCLE SAM'S MILLIONS OF ROOKIES HEADING FOR ARMY CAMP LIFE!

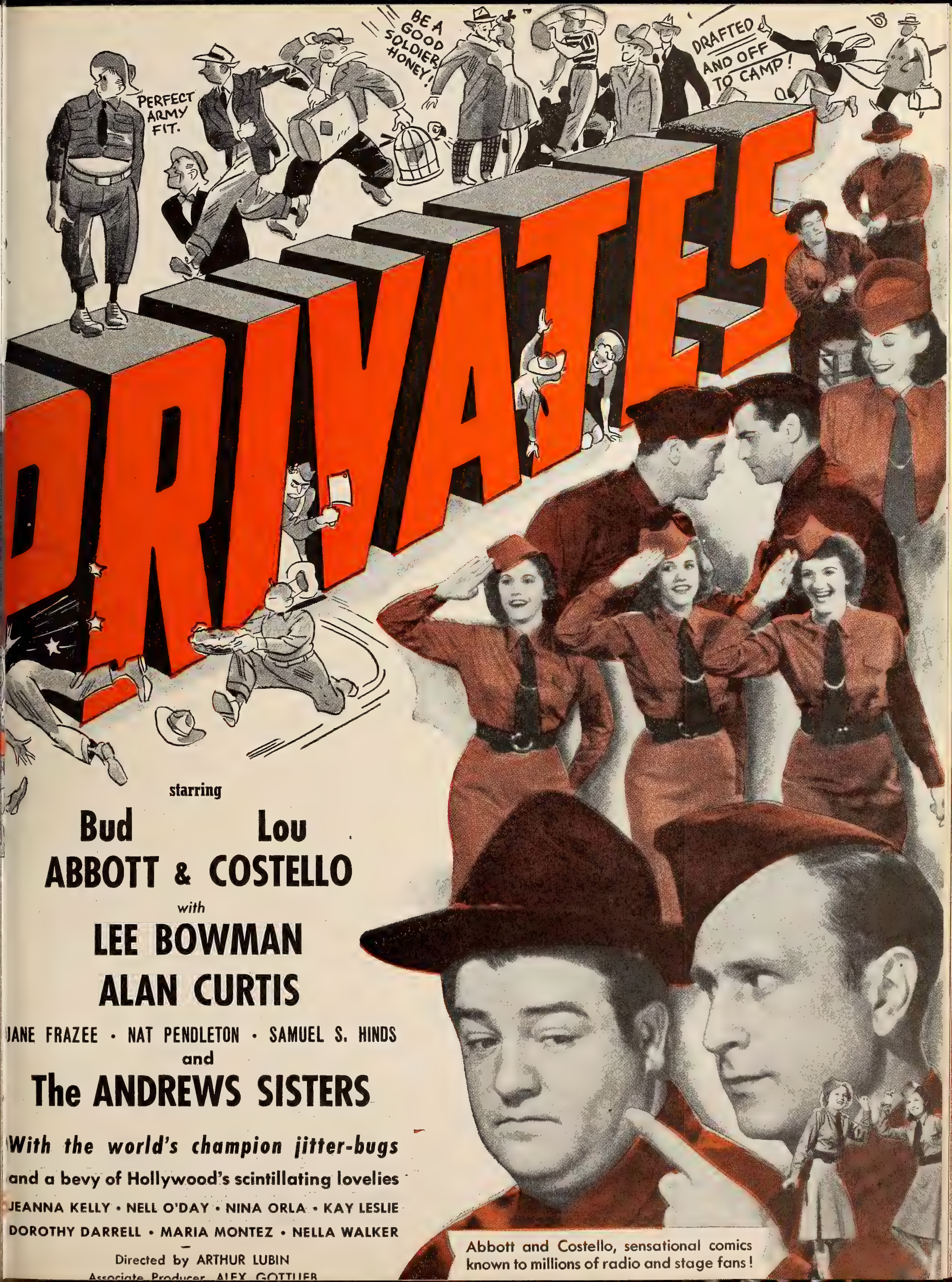
UNIVERSAL'S SURPRISE COMEDY SMASH...

WITH THE NEW SENSATIONAL COMEDIANS, ABBOTT & COSTELLO, BOOGIE-WOOGIE JAMSTERS .... CHAMPION JITTER-BUGS AND HOLLYWOOD'S MOST CHARMFUL ARMFULS AS CAMP HOSTESSES!


DOUGHNUTS AND COFFEE FOR THE BOYS!
OPEN WIDE AND SAY "AH."
BUNION RETREAT!
BUCK

hit numbers? When you hear "YOU'RE A LUCKY FELLOW, MR. SMITH!" YOU'LL KNOW YOU'RE A LUCKY FELLOW, MR. EXHIBITOR!

NATIONAL RELEASE JAN. 3


PERFECT ARMY FIT.
BE A GOOD SOLDIER HONEY!
DRAFTED AND OFF TO CAMP!
PRIVATES

starring

Bud Lou
ABBOTT & COSTELLO

with

LEE BOWMAN
ALAN CURTIS

JANE FRAZEE • NAT PENDLETON • SAMUEL S. HINDS
and
The ANDREWS SISTERS

With the world's champion jitter-bugs
and a bevy of Hollywood's scintillating lovelies
JEANNA KELLY • NELL O'DAY • NINA ORLA • KAY LESLIE
DOROTHY DARRELL • MARIA MONTEZ • NELLA WALKER

Directed by ARTHUR LUBIN
Associate Producer ALEX GOTTLIEB

Abbott and Costello, sensational comics known to millions of radio and stage fans!

Nova Scotia Faces Lack of Operators

Halifax, N. S., Jan. 19.—Scarcity of licensed operators threatens the operation of a number of houses in Nova Scotia. Attempts of exhibitors to obtain operators are blocked by the union and the censor board, which, having jurisdiction over all theatre matters, has refused all apprenticeships in the booths.

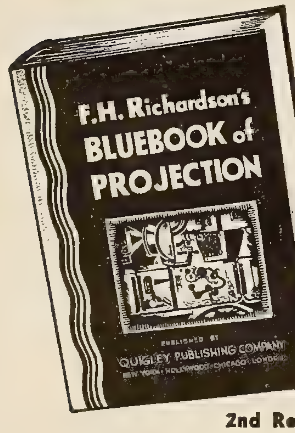
4 Baltimore Houses To Double Air Prize

Baltimore, Jan. 19.—In a local effort to meet the competition of the $1,000 "Pot o' Gold" weekly giveaway, four theatres, the Hampden, Alpa, Westport and Bridge, have taken newspaper ads offering to double the prize if a patron should fail to answer the telephone because of attendance in one of the four houses.

"You need not stay home on Thursday nights to win the $1,000 or more prize money offered on the radio every Thursday night," the ad reads. "We will double the amount if you are in any of the theatres listed below on Thursday night at the time the telephone call is made—and your number is selected."

Roy Mack in Soundies

Hollywood, Jan. 19.—Roy Mack has been signed as director of the first reel of James Roosevelt's Soundies, to be produced by Sam Coslow's Cameo Productions.


F.H. Richardson's
BLUEBOOK of PROJECTION
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EVERY THEATRE NEEDS

THE BLUEBOOK!

- Be prepared for that unexpected breakdown. Richardson's Bluebook is now supplemented with detailed trouble-shooting charts.

It is your assurance of ready remedies, quick repairs and better projection.

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Short Subject Reviews

"Dog in the Orchard"

(*Warners*)

This compelling story by Mary Roberts Rinehart has been converted into an interesting screen drama, skillfully performed and directed. The cast includes Howard da Silva, the farmer who has murdered his wife so that he might continue an affair with another woman, Barbara Pepper; Addison Richards, the sheriff whose suspicions are aroused by the howling dog in the orchard, David Bruce and Virginia Sale. Deft camera maneuvering and lighting give the tale added effect. Jean Negulesco directed the Owen Crump screenplay. Running time, 20 mins.

"All's Well"

(*Fleischer-Paramount*)

In this color cartoon, Gabby's desire to make everybody happy runs into a snarl when he encounters a baby who won't stop crying. After several attempts to amuse the infant, Gabby decides the baby needs a fresh diaper but his efforts to get it on start the complications. Gabby and the baby are genuinely likeable characters. Running time, 7 mins.

"The Fighting 69th½"

(*Warners*)

This cartoon account of a battle between the red ants and the black ants is funny in spots but on the whole rates as little more than average fare. The war is fought on picnic grounds. Running time, 7 mins.

"March of Time, No. 7"

(*RKO*)

Titled "Uncle Sam—the Non-Belligerent," the latest "March of Time" reel is an impassioned plea for all aid to Britain. Although presenting in brief sequences Senator Burton K. Wheeler, isolationist, and Verne Marshall, chairman of the No Foreign War Committee, the reel takes its cue from a Gallup poll in which it was found that 60 per cent of Americans favored aid to Britain even if it meant war.

There are striking shots of France in captivity, actual bombing scenes, the wreckage of London, Hitler in Paris, German artillery and submarines. The film carries a powerful message. However, this issue aligns itself much more closely with one side of a controversial subject than is customary in most of these reels. Running time, 21 mins.

"Acrobatic Aces"

(*Paramount*)

Outstanding tumbling acts are presented in this Grantland Rice "Sportlight." Beginning with a somersault school for youngsters in Dallas, the reel proceeds to show the amazing exploits of the seven Danwill Brothers and a team of four girls called the Ambassadorettes. The first team does some flips that will interest even those who have seen all types of acrobats. The Ambassadorettes perform in shorts on a tennis court. Running times, 10 mins.

To Enforce Poster Law in New Jersey

Trenton, N. J., Jan. 19.—The Outdoor Advertising Division of the State Tax Department has served notice that the 10-year-old billboard and poster law will be rigidly enforced. It provides that no outdoor advertising sign may be erected in the state except on the premises where the business advertised is carried on, unless a permit is first obtained from the division, which supervises billboard and poster displays and collects the fees imposed by the statute. Failure to comply with the law may result in a fine of $100.

Jenkins' Decree Talk Schedule Set

(*Continued from page 1*)

plans call for the first branch meeting in Los Angeles on Saturday, followed by San Francisco next Monday. The following stops now scheduled include: Portland, Ore., Jan. 28; Seattle, Jan. 29; Salt Lake City, Denver, Omaha, Feb. 3; Des Moines, Feb. 4; Minneapolis, Feb. 5; Milwaukee, Feb. 6, and Chicago, Feb. 7 and 8. The entire trip is expected to take six to seven weeks.

Photography Ballots Out

Hollywood, Jan. 19.—Nominating ballots for photography awards of the Academy of M. P. Arts & Sciences were received Friday by cinematography directors who will name 10 black and white and six color films for final consideration. Film editors also received ballots to nominate 10 editorial achievements for final awards.

W.B. First Quarter Net Is $1,276,316

(*Continued from page 1*)

815, and provision for Federal income taxes was $460,000. Earned surplus at the end of the quarter was $5,733,289.

The consolidated balance sheet as of Nov. 30, last, showed $8,452,922 in cash, compared with $7,709,982 on Aug. 31. Inventories amounted to $15,086,910. Total current and working assets were $26,651,176. Total assets amounted to $166,024,775, of which $8,331,776 is good will.

Current liabilities amounted to $15,278,969, leaving working capital of $10,372,207.

'Time' Release Set Despite Wheeler

(*Continued from page 1*)

Rochemont said: "Your intemperate and reckless charge of war mongering by the March of Time obscures the fact that the principal portion of this picture deals not with the opinions of American political men and statesmen but with the tragic fate of the millions who have come under the tyranny of the Nazis either as a result of appeasement or as a result of easy conquest."

Kallman Leaves Today

George Kallman, former RKO manager in Chile, who has changed places with Daniel Greenhouse, former manager in the Philippines, leaves today for the Coast by plane. From the West Coast, Kallman will go by boat to Honolulu and by plane to Manila. Greenhouse already is in Chile.

Expect Ohio Bill to Tax Coin Machines

Columbus, O., Jan. 19.—The Ohio legislature is expected to receive measures during the current session calling for a tax on coin-operated film devices, and an impost on chance games as conducted by various groups and societies.

The inaugural address of Gov. John W. Bricker last week, as he started his second term, made it clear that no new admission taxes will be necessary during the current legislative session.

Coin Machine Bill in Iowa

Des Moines, Jan. 19.—A measure introduced in the Iowa legislature by Leo Hoegh of Charitan would tax coin film machines between $100 and $300 annually.

S. A. Films to Get Attention: Whitney

Los Angeles, Jan. 19.—Arrangements are being made to give wider distribution in the United States to films made in Latin America, John Hay Whitney told the Southern California Inter-American Conference at the University of Southern California here Thursday night.

Whitney represents Nelson A. Rockefeller, Coordinator of Commercial and Cultural Relations between the American Republics. He told the meeting that the major companies have embarked on advancing Pan-American solidarity by showing South America to North America as it really is, and vice versa.

Massey to Conduct 'Virginia' Premiere

Raymond Massey will be master of ceremonies at the premiere program of "Virginia" at the Paramount on Broadway Jan. 28 for the benefit of the Maple Leaf Fund, Canadian organization for British war relief.

Glenn Miller and his orchestra will head the stage show. The premiere program will include Anton Dolin of the Ballet Theatre; Raoul Jovin, Metropolitan Opera tenor; Victor Goggin, president of the fund, and Madeleine Carroll, who will speak to the audience by telephone from the Coast. A press preview will be held Monday afternoon.

Floore Awarded Trip

San Antonio, Jan. 19.—R. J. O'Donnell, general manager of the Interstate Circuit, has given John T. Floore, local manager, a trip to the Barney Balaban testimonial banquet in Chicago Jan. 23 as a reward for being co-winner in the Interstate Drive.

Mills Forms Exchange

Bernard H. Mills, former Republic franchise holder in Upstate New York and Michigan, has formed Equity Film Exchanges, Inc., with branches in New York, Albany and Buffalo.

Deanna Durbin to Tour

Hollywood, Jan. 19.—Deanna Durbin, after visiting Chicago Jan. 26 and following the President's birthday ball in Washington Jan. 30, which she will attend, will visit several cities in the South, returning here Feb. 12.

Union Wins Wage Verdict on Appeal

Resignation by an exhibitor from the I. T. O. A. of New York prior to the arbitration award increasing wages and granting an extra week's vacation to members of the operators' union, Local 306, last year, did not relieve the exhibitor from paying the increases, according to a ruling of the Appellate Term of the New York Supreme Court. The decision upheld a lower court judgment and awarded $928 in damages as well as an additional $888 which accrued since the judgment, against Ronsal, Inc. (Robert Saffer), operator of the Euclid, Brooklyn.

The defense contended that since it had resigned from the I. T. O. A., it was not bound by the arbitrator's award, but the court ruled that the terms of the basic 10-year contract signed in 1937 controlled. Four similar cases are pending, a union spokesman said.

Wilkes-Barre Union Elects Cusick Again

WILKES-BARRE, Pa., Jan. 19.—With 400 members voting, Philip Cusick has been reelected president of Local 140 of the American Federation of Musicians for his third term. Other officers elected were: Charles E. Tite, recording secretary (reelected); Charles E. Williams, financial secretary (reelected); Robert Knecht, vice-president; Peter J. Kleinkauf, treasurer; Frank Magalski, business agent; William Christian, Heinie Kleinkauf, Delmar Hufsmith, Joseph Bunyak, executive board.

The 40th anniversary concert and banquet will be staged by the Scranton musicians local on Tuesday at Masonic Temple there. Madea Cetta, president, is honorary chairman of the affair. Frank Kelly is chairman.

Picketing Continues At Detroit Theatres

DETROIT, Jan. 19.—Pickets who have marched in front of leading downtown theatres operated by the United Detroit Theatres since New Year's Eve continue their march in an effort to have the management recognize their union.

Pickets were thrown in front of the Adams, an independent house, last week, and in front of the Cinderella and Riveria, two neighborhood houses controlled by the United Detroit management. They are also picketing three of the large downtown United Detroit houses. The Building Service Employees' Local 79 seeks recognition of its union, a six-day week of 48 hours and a $5 daily wage.

Pappa Is Reelected By Wilmington Union

WILMINGTON, Del., Jan. 19.—Frank J. Pappa has been reelected president of Local B-94 of the Central Labor Union here. Albert Williams of the local operators union, was named to the executive board.

The union has opened negotiations with film houses here, seeking to institute stage shows twice weekly in local theatres. Representatives of the local unit of the American Federation of Musicians also have joined the discussions.

Feature Reviews

"High Sierra"

(Warners)

THE gangster film of yesteryear, made such a notable part of the screen's entertainment history through the efforts of the Warners, rises again in "High Sierra." On this occasion the scene is the California mountains. Here is all the melodramatic action of the planning of the crime and its commission, murder and escape, the pursuit by police, and the culminating sequence when the gangster shoots it out with the law, with the inevitable result.

The towering, snow-capped Sierra Mountains loom in the background of the action and form the final hiding place of the fleeing gangster, from which he is blasted by an array of heavily armed officers. The picture is entertainment in the best tradition of its earlier predecessors.

Once again, too, is the underlying conclusion that "crime does not pay." But in the telling of it, the gangster is given his kindly moments, he is made the victim of treachery, he does kindnesses and reveals an inner nature of soft and yielding humanity, which is at striking variance with the slashing gun and ruthless behavior of the pardoned big-time bandit.

Humphrey Bogart brings to the role of the bandit a performance of power, while Ida Lupino, as the girl he meets and loves, and who remains loyal to the end, is at all times convincing.

From the novel by W. R. Burnett, John Huston and Burnett have fashioned a screenplay of which melodramatic action is the keynote, while Raoul Walsh, in his direction, has made the most of innumerable opportunities to put punch and excitement into the production. The supporting cast is capable, including Alan Curtis and Arthur Kennedy, who aid in the stickup of a Southern California resort; Joan Leslie as the young crippled farm girl befriended with her grandparents by Bogart, and Barton MacLane as the gang leader who is killed by Bogart in a fight over the stolen jewels. Important to the cast is Zero, small mongrel dog, used to reflect the gangster's more kindly instincts.

Here is entertainment with a punch.

Running time, 100 minutes. "G"* CHARLES S. AARONSON

"Trail of the Silver Spurs"

(Monogram)

PRODUCT of the George W. Weeks unit, "Trail of the Silver Spurs" is an Earl Snell adaptation of an Elmer Clifton original and a vehicle for Ray Corrigan, John King and Max Terhune. To patrons of westerns, the trio is familiarly known as "The Range Busters."

The frequent use of stock material in the production will hardly escape the avid Western fan. On the credit side is the smooth handling of tense moments and the work of the three likeable chaps. I. Stanford Jolley, Dorothy Short and Eddie Dean are among the supporting players.

The story has the "Range Busters" as Government marshals uncovering dirty work in a ghost town.

Running time, 58 minutes. "G"*

"Night of the Mayas"

(World Pictures)

DESCRIBED as the "forerunner of a Pan-American screen cycle," this Mexican importation has a unique love story interworked with an intelligent and apparently authentic study of Mayan Indians. The locale is the Yucatan forests in Southern Mexico where the descendants of the Mayans found refuge from an oppressive Spanish conqueror.

The film was given a modest production by Francisco de P. Cabrera, who acknowledges the cooperation of the State of Yucatan and the Carnegie Institute. The photography is clear. English titles serve their purpose adequately.

Each member of the all-Mexican cast plays his part sincerely. The story is a tragedy which ends with the death of three of the principals involved, a native girl and a white explorer, in love with each other, and the sorceress who fought in vain for the native who also was in love with the girl.

Running time, 80 minutes. "G"*

**"G" denotes general classification.*

Mix G. E. Space Buyer

SCHENECTADY, N. Y., Jan. 19.—D. S. Mix has been appointed newspaper and magazine space buyer for General Electric, replacing the late F. R. Davis.

Agfa Has New 16mm. Film

Agfa Ansco has developed a new "high-resolving sound recording" 16mm. film. The sensitive coating of the film is said to be made by a new process of emulsification.

Lynn Riggs Play At Booth Tonight

"The Cream in the Well," play by Lynn Riggs, produced by Carly Wharton and Martin Gabel, opens tonight at the Booth Theatre. The cast includes Martha Sleeper, Mary Morris, Leif Erickson, Myron McCormick and Virginia Campbell.

Broken Arm Forces Play Postponement

Jack Kirkland's production of "Tanyard Street," originally scheduled to open tomorrow night at the Little, has been postponed to Wednesday. Jock McGraw, actor in the show, suffered a broken arm late last week and additional time is needed to find a replacement.

The Gertrude Lawrence play, "Lady in the Dark," is now set to open at the Alvin on Thursday, thus forcing Ben Levinson to open his play, "I. Q.," Friday instead of Thursday in order to avoid a double opening. It will be at the Provincetown Playhouse in Greenwich Village.

Three shows closed on Saturday, "The Flying Gerardos" at the Playhouse, "Eight O'Clock Tuesday" at the Henry Miller and "Crazy with the Heat" at the 44th Street.

Jolson's Show Set To Close on Feb. 1

Al Jolson's "Hold On to Your Hats" is scheduled to leave the Shubert Feb. 1, after 157 performances.

The grippe, which kept Jolson's show from going on the week before when the star was ill, continues to invade Broadway legitimate theatres. Howard Lindsay of "Life With Father;" Victor Moore of "Louisiana Purchase" and Betty Hutton of "Panama Hattie" were ill last week but were able to give performances.

Most serious cases reported were those of Gene Kelly, Leila Ernst and Vivienne Segal, preventing them from appearing in "Pal Joey" at the Barrymore. Actors in other shows are also reported ill with the grippe.

Epidemic May Shut Some Ohio Houses

COLUMBUS, O., Jan. 19.—Present indications point to possible closing of theatres, or, at least, restriction of attendance to adults, in situations which have been more seriously affected by the influenza epidemic sweeping Ohio.

Although the cases reported to the State Health Department are of mild form, schools in many areas have closed, and others are preparing to do so. No theatre closings have as yet been reported, but health authorities in many sections are surveying theatres to determine ventilation facilities.

Flu Bars Children

GARDNER, Mass., Jan. 19.—Following the lead of theatres in other communities, Curtis Morse and William P. Hall, managers of the Orpheum and New Uptown, here, respectively, announced children under 16 would not be admitted during the grippe and influenza epidemic.

BMI Courting Exhibitors in Ascap Battle

(*Continued from page* 1)

them to exhibitors throughout the country.

Ascap officials, commenting on the attempts to interest exhibitors in the broadcasters' rate war, observed that any contribution to BMI's success by exhibitors would be "most short-sighted" on their part. "If BMI succeeds," they said, "exhibitors will have two music taxes to pay where they have only one now."

Amplifying on M.P.T.O.A.'s position with respect to Ascap, Kuykendall said: "We oppose the unfair advantage which Ascap has over theatres which cannot choose the music that goes into pictures, yet must first pay the producers for that music in film rental and again pay Ascap in the form of a seat tax when the picture is shown.

"There should be a law controlling Ascap's present right to levy any charge it chooses against theatres."

Noble Takes Over Control of WMCA

Edward J. Noble, board chairman of Life Savers Corp., has assumed active control of Station WMCA, following the completion of final details in the transfer of ownership from Donald J. Flamm for $850,000. New station policies and programs will be announced this week.

Noble is the sole purchaser of the stock of the Knickerbocker Broadcasting Co., Inc., of which Flamm had been president since 1926. The station was to have changed hands Dec. 31, but after the FCC had authorized the transfer, Flamm asked that the sale be reconsidered. The FCC at that time refused to rescind its authorization.

Louisiana Ban on Ascap Is Nullified

BATON ROUGE, La., Jan. 19.—The Louisiana Supreme Court has nullified the state law prohibiting Ascap from collecting fees in the state except under a stringent licensing system. The legislation was passed in 1934 at the instigation of Huey Long, political "boss," and had been the subject of a long court fight led by J. Studebaker Lucas, Ascap division manager in New Orleans.

Ascap Claims 161 Stations; BMI 667

A total of 161 commercial broadcasting stations have renewed their Ascap licenses, the society has declared. These, together with non-commercial stations which receive their licenses free of charge, brought the total "well over 200" it was said. BMI has 667 commercial stations and 18 non-commercial for a total of 685.

Bate Arrives Today

Fred Bate, head of the NBC London office, will return to New York today by clipper for several weeks of conferences.

Off the Antenna

BELL Laboratories has prepared a television demonstration for the FCC when it visits New York Friday. The demonstration will be a repetition of that made for members of the Institute of Radio Engineers last week. A program will originate in New York, be transmitted by coaxial cable to Philadelphia and returned to New York by cable. FCC members will have an opportunity to appraise this method of transmitting television images because during part of the demonstration the studio will be hooked up directly with the receiving set. Bell Laboratories has announced the installation of a second experimental coaxial cable between Stevens Point, Wis., and Minneapolis, a distance of about 100 miles. For the present, the cable will be used only for telephone services.

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Around the Country: *Frank Merrifield, CKLW, Windsor-Detroit, engineer is the father of a second son . . . Bob Gray, of the KGO-KPO, San Francisco, guest relations staff, has enlisted for active Army service . . . Helen Watts Schreiber, who formerly conducted the Prudence Penny column in the New York* American, *has been signed for a home economics program over KSO, Des Moines . . . Ray Spencer, formerly with WADC, Akron, O., has joined WCAE, Pittsburgh, as announcer, succeeding Robert Webster who resigned to become manager of a new station in Dubois, Pa. . . . WFIL, Philadelphia, is preparing a schedule to provide sustaining shows for the Quaker State Network . . . John Paul Weber, announced on WIP, Philadelphia, left yesterday for a year's training at Fort Dix.*

• • •

Despite the complete absence of American films in Italy, the Italian people still prefer Hollywood gossip above any other type of program, according to Napalia Danesi, who broadcasts over NBC's short wave in Italian. Because of the lack of American product, Miss Danesi discontinued Hollywood programs several months ago but the letter requests were so great that she resumed the talks during her "Mail Bag" period. Since Italy entered the war last Spring, requests fell off sharply, of course, but they still come in. Most requests are for screen stars' photos.

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Program News: *R. J. Reynolds Tobacco will sponsor the Xavier Cugat-Yvette program over NBC short wave. The program, heard Thursdays at* 7:30 *P.M. over the Red will be recorded and transmitted to Latin America with Spanish announcements at* 9:15 *P.M. . . . Uncle Don has started his fourth annual Hollywood talent search among children over WOR . . . "Invitation to Learning" broadcasts over CBS will be published in book form by Random House . . . WNYC is aiding the city's noise abatement campaign with a series of spot announcements appealing to motorists . . . For the first time in its* 11 *years on the air, CBS "School of the Air" will originate out of the country. Tomorrow, it will be heard from Montreal . . . Local business was responsible for more than half of the total sales increase during* 1940 *for KDKA, Pittsburgh, according to W. E. Jackson, sales manager . . . Eight programs were renewed and eight new contracts signed over WMCA during the past fortnight.*

• • •

Purely Personal: *Roger Bower, WOR producer, will direct the "New Decade Mardi Gras and Ball" for the President's Birthday Ball celebration . . . Eddie Dunham will produce and Ted Sills write the new "Fame and Fortune" series over NBC-Blue . . . Ted Schneider will replace Russ Clancy as WHN night manager tonight with Robert Kornheiser taking over Schneider's former duties as assistant day operations manager. Clancy is joining Associated Press . . . Dorothy Claire is replacing Marion Hutton as vocalist on Glenn Miller's CBS Chesterfield series . . . Bill Stern, sports commentator on NBC-Blue, is writing a series of* 12 *articles for* Click *magazine.*

FCC Rules Broadcasters Must Refrain from Coloring Air News

Washington, Jan. 19.—Broadcasters must refrain from coloring or editorializing the news, the FCC ruled Friday in renewing the license of WAAB, Boston. The station was reprimanded for past practices but its promise to refrain from coloring the news in the future was accepted.

The commission pointed out that WAAB had, from 1937 through September 28, 1938, supported political candidates in election campaigns and taken sides in controversial public issues.

"Radio can serve as an instrument of democracy only when devoted to the communication of information and the exchange of ideas fairly and objectively presented," the FCC said.

"A truly free radio cannot be used to advocate the causes of the licensee. It cannot be used to support the candidacies of his friends. It cannot be devoted to the support of principles he happens to regard most favorably. In brief, the broadcaster cannot be an advocate."

The FCC said that John Shepard, 3d, president of the Yankee Network, the licensee, had given his pledge that the station would refrain from the practices complained of. The FCC denied an application by the Mayflower Broadcasting Corp. to replace WAAB on the air.

FCC Sets Hearings On 2 New Stations

WASHINGTON, Jan. 19.—The Federal Communications Commission has designated for hearings at a later date the applications of Edward B. Reeder for a new 1,420-kilocycle, 250-watt broadcasting station at Seattle, and the Western Massachusetts Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Pittsfield, Mass.

Applications received by the commission included requests for construction permits for two new FM stations and two new regular broadcasting stations.

The FM applications were filed by Edwin H. Armstrong, New York, for a transmitter in Alpine, N. J., with a maximum power of 40,000 watts, to operate on 43,100 kilocycles to cover 15,610 square miles with a population of 12,237,173, and by the Municipal Broadcasting System of the City of New York, for a maximum power of 1,000 watts to operate on 46,700 kilocycles to cover 3,889 square miles with a population of 11,550,274.

The regular broadcasting applications were filed by James F. Hopkins, Inc., for a 1,560-kilocycle, 1,000-watt station at Ann Arbor, Mich., and A. M. Burton for a 1,380-kilocycle, 1,000-watt station at Nashville, Tenn.

Television Studios On Paramount Lot

Paramount plans to establish studios and offices for its Hollywood television station on the studio lot, it was revealed over the weekend by Edward Buddy, who leaves tomorrow for the coast. Buddy will be general manager of the new station when it is completed.

All necessary equipment has been ordered, Buddy stated, and several transmitter sites have been surveyed. Location of the transmitter has not been set finally, Buddy said. Television Productions, a Paramount subsidiary, owns the license for the new station. Equipment manufactured by the Allen B. DuMont Laboratories, a Paramount affiliate, will be used.

Short-Wave Hookup For Inauguration

(*Continued from page* 1)

Italian, German and French will be beamed to Europe, one General Electric station will broadcast in Spanish for Latin America and another to Europe in English, while NBC's two stations will also broadcast in Spanish and Portuguese to Latin America. The Portuguese version will be rebroadcast by a network of Brazilian stations. Five NBC announcers will be on the Capitol steps, speaking in five different languages. In addition, NBC will transmit the text of the President's speech seven times after he goes off the air.

Roosevelt Considers Appointment to FCC

WASHINGTON, Jan. 19.—President Roosevelt disclosed over the weekend that he would begin consideration this week of an appointment to the FCC to succeed Thad H. Brown. The President did not make his plans known, however. There have been reports that a reorganization of the FCC along lines suggested by former Chairman McNinch may be sought.

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VOL. 49. NO. 14 NEW YORK, U. S. A., TUESDAY, JANUARY 21, 1941 TEN CENTS

Roosevelt's Inauguration Jogs Grosses

Flood of Visitors Brings Joyous Box-Office

WASHINGTON, Jan. 20.—President Franklin D. Roosevelt's third term inauguration brought joy to the theatres in this city. Film business boomed yesterday continuing the tremendous box-office surge of the weekend as thousands of tourists and visitors from all over the country flocked here. Good, clear weather conspired in this increase of grosses.

Downtown houses were packed before, during and after the inaugural parade. Loew's Palace had a long box-office line throughout the day for "Gone With the Wind." Keith's, the only house directly on the parade route, had to assign guards to assist persons desiring to enter the house because

(*Continued on page* 2)

Interstate Wins Final Trust Suit

DALLAS, Jan. 20.—Interstate Circuit today won an instructed verdict in a jury trial of the $25,000 anti-trust suit brought against it by R. Z. Glass of Houston, in U. S. District court here.

Federal Judge William H. Atwell ruled that Glass's damages were so uncertain and speculative that there could be no recovery and that, since Glass had not complied with the 25-cent minimum admission requirement on which he based his suit, he had not been damaged in that respect. Glass and his father were the only witnesses. Following their testimony. Pat Russell, attorney for Glass,

(*Continued on page* 11)

Van Schmus Guest At Ampa Thursday

W. G. Van Schmus, managing director of the Radio City Music Hall, will be guest of honor at the luncheon meeting of the Ampa on Thursday in the Sun Room of the Hotel Edison. Van Schmus will speak on the publicizing of the world's largest film theatre.

Gus Eyssell, assistant to Van Schmus, will discuss the operations of the theatre. Leon Bamberger, Ampa president, will preside at the luncheon, scheduled for 12:45.

U. A. Holds Rowland for Two More Years

Hollywood, Jan. 20.—United Artists has taken up options on Richard A. Rowland Prod. and Rowland will produce three pictures for the company during the next two years, as a result.

Writers are now working on "Battle of Britain," which will be Rowland's next.

AAA Selects First 16 Local Board Clerks

The American Arbitration Association yesterday designated the first 16 clerks for as many industry arbitration boards and confirmed leases for board headquarters in the 16 cities involved. Designation of the remaining 15 board clerks and office quarters will be made within the next day or two.

The A.A.A. will conduct training sessions for the clerks at the New York headquarters of the Association beginning tomorrow. The first 16 will attend the sessions which will run through Friday, and the group of 15 clerks to be designated subsequently will attend another three-day training session here, Jan. 27-29.

The first 16 clerks and arbitration board headquarters are: Dallas, C.

(*Continued on page* 11)

CIRCUIT BUYING NOT ALTERED BY DECREE

New York, Chicago or Other Big Bases to Retain Importance; Small Town Buying Plans Held Impractical

Circuit film buying will undergo no change as a result of the operation of the consent decree, representatives of leading national circuits indicated yesterday.

New York or Chicago or any other chief circuit buying base will continue to be just as important, if not more so, under the decree, as it is now, in the opinion of these trade experts. They aver that any notion that film buying under the decree will be resolved into a strictly small town purchasing system is erroneous and far from a practical viewpoint.

Negotiations with distributors will continue to be conducted by the same circuit executives either in New York or in the field, as company policy has prescribed in the past. The only change in the buying proc-

(*Continued on page* 11)

'Philadelphia' Gets 5th Week at Hall; Broadway Strong

Still another film has entered the Radio City Music Hall-of-Fame, by earning a run of more than four weeks at that theatre. It is "Philadelphia Story," which has been granted a fifth week, following a $58,000 performance from Thursday of last week to Monday, on the first part of its fourth week. Only two other pictures have attained heights such as this. One is "Rebecca," which holds the all-time record at the theatre, having played six weeks. The other is "Snow White and the Seven Dwarfs," feature cartoon, which played five weeks.

The M-G-M picture was easily the topper of Broadway over the weekend, and it is estimated that the pic-

(*Continued on page* 11)

Crossley Ratings Show No Loss of Radio's Audience

An analysis of the first Crossley ratings prepared by the Cooperative Analysis of Broadcasting since Jan. 1, when Ascap music went off the air revealed yesterday that there was no loss of audiences during the first two weeks of the new year as compared with December, according to the National Association of Broadcasters.

The N.A.B. analysis of the ratings did not list individual programs. Instead, the average audiences for 175 programs on the four major networks were totaled and compared with those of December. An audience rise of 14 per cent was reported over January, 1940, it was said.

Comparing the ratings for the period ending Dec. 21 with the latest survey ending Jan. 14, the N.A.B. reported that the average of all programs was 10.4 for both periods. The average for 72 daytime programs was 6.1 in December and 6.0 in January, and for the 103 night programs, 13.4 for December and the same figure for January. Each figure represents the percentage of all radio homes listening to the programs in 33 key cities.

Comparing January, 1941, ratings with those of January, 1940, the N.A.B. reported that evening shows registered gains of 11 per cent and day programs 22 per cent. The average of 72 daytime shows for January, 1940, was 4.9; for 103 evening shows, 12.1, and the overall average, 9.1.

(*Continued on page* 10)

British Money Pact Reopening Possible

Any improvement in Great Britain's foreign exchange condition will make possible the reopening of the industry's monetary agreement with the British treasury and Board of Trade along the lines of more liberal withdrawals of blocked currency from London, it became known yesterday with the release here of official copies of the British monetary agreement.

One of the conceivable circumstances which would alter Britain's dollar credit position and could bring about negotiations under the new agreement for increased withdrawals by the eight major companies of their

(*Continued on page* 11)

Illness Keeps Hays From Roosevelt Fete

Will H. Hays, M.P.P.D.A. president, was obliged because of illness to postpone his planned departure for the Coast last night and also was prevented from attending the inaugural ceremonies and the Roosevelt family dinner at the White House last night.

Mrs. Hays was a guest at the dinner, immediately thereafter returning to New York. They now plan to leave for Hollywood at the end of the week.

Coast Flashes

Hollywood, Jan. 20.—First of a series of instructions in sales activities under the consent decree, which will ultimately include every 20th Century-Fox exchange in the country will start here next week with Felix Jenkins of the home office legal department in charge. Other Coast offices will be visited next and the meetings then will shift eastward.

Company executives who are here have held only preliminary conferences on decree operations thus far but expect to conclude their discussions by the end of the week.

Cecil B. DeMille today urged radio networks leaders to found an academy of radio arts and sciences similar to the motion picture academy, declaring that "radio needs an academy as much as motion pictures ever did."

Annual awards for scripts, adaptations, performances and other phases of broadcasting were suggested by the impresario of the Lux Airshow, who added that "today radio relies chiefly upon motion picture players for name attractions despite the fact that it has developed some highly competent talent of its own."

Y. Frank Freeman, A. M. Botsford and Harry Sherman left over the weekend to attend the testimonial dinner for Barney Balaban in Chicago, Thursday.

Nate J. Blumberg, Universal president, will leave for New York by train Tuesday after several weeks of studio conferences. John Joseph, publicity and advertising director, will arrive in New York Wednesday.

To Meet on English Theatre Relief Soon

London, Jan. 20.—The first meeting of the joint committee representing the Cinematograph Exhibitors Association and the Kinematograph Renters Society, empowered to determine war relief measures for exhibitors, will be held in the near future.

A K.R.S. meeting tomorrow is expected to act upon a meeting date suggested by the C.E.A. On Jan. 28 the London and Home Counties Branch of the C.E.A. will hold its annual session, when the war relief situation is to be discussed.

Examination Ordered

N. Y. Supreme Court Justice Edward B. McLaughlin yesterday ordered Herbert C. Brewer, president of the Chilean Nitrate Educational Bureau, Inc., and E. J. Rosenberg, of Trans-American Broadcasting and Television Corp. to testify before trial on Feb. 17 in the Chilean suit to restrain Grombach Products, Inc., from allegedly interfering with the radio program, "Uncle Natchel."

20th-Fox Crew to Miami

Miami Beach, Jan. 20.—An advance crew of cameramen, location experts, writers and directors will arrive here late this month to shoot scenes in and about Miami and Miami Beach for the 20th Century-Fox picture "Miami."

Personal Mention

BARNEY BALABAN, president of Paramount, left yesterday for Chicago.

•

William Sussman, Eastern division manager for 20th Century-Fox; Jack Sichelman, assistant to Herman Wobber, and Jack Bloom, contract manager at the home office, return to their posts Monday from Miami vacations.

•

David Rose, Paramount's managing director for England, arrived from the Coast yesterday en route back to London. He will sail for Lisbon Saturday on the *Excambion.*

•

Monroe Greenthal, United Artists advertising and publicity director, will return today from Washington, where he attended the inauguration with Charlie Chaplin.

•

L. W. Conrow, president of Altec, is back at his desk after a two-week tour of the Midwest.

•

James R. Grainger, president of Republic, left yesterday for Detroit and Buffalo. He will return on Friday.

•

Clayton Bond, Brock Pemberton, Al Altman, John D. Hertz, Jr., Arthur Loew, John Golden, I. E. Lopert, Joseph Fields Jerome Chodorov and Georgie Hale at Sardi's yesterday for lunch.

•

Robert Riskin arrived yesterday from the Coast for conferences at the Warner home office.

•

Leon Schlesinger, cartoon producer for Warner release, is here for home office conferences.

•

Joseph Bernhard, general manager of Warner Theatres, has returned from conferences at the Coast studio.

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, will return to the home office next Monday after a stay on the Coast.

•

Lillian Yost, secretary to Edward Hollander, ad sales manager at the 20th Century-Fox home office, is to be married on Sunday to Irving Stockman.

•

Alexander Korda and Steve Pallos left for the Coast by plane last night.

•

Morris Iushevitz, publicity director for Local 306 of the operators' union, will undergo an operation at Beth Israel Hospital today.

•

Clifford Fisher, William Morris, Jr., Leonard Goldenson, Bob Weitman, Sam Shain, Stanton Griffis, Maurice Bergman, Adolph Zukor, Toby Gruen, Charles E. McCarthy, Morris Kinzler, William Orr, Ralph Austrian, Malcolm Kingsburg, Harry Goetz, George Skouras, David Rose and Tom Connors at Nick's Hunting Room in the Astor for lunch yesterday.

•

Louis Bernstein, B. S. Moss, Arthur Gottlieb and Jack Goetz having lunch yesterday at Lindy's (51st St.).

•

Charles Paine, Hortense Shorr, William B. Clemens, lunching yesterday at the Tavern.

•

Harry Buckley, Edward Peskay, Lou Weinberg and Rube Jackter lunching yesterday at Lindy's (next to the Rivoli).

•

J. Walter Ruben, M-G-M producer; his wife, Virginia Bruce, and their daughter, Susan, have returned to the Coast after a two-week vacation here.

6 Rochester Houses Sign Union Contract

Rochester, Jan. 20.—More than 200 workers in six downtown theatres have been signed by Local B90 of the I.A.T.S.E. Union and are now covered by new labor contracts providing wage raises and a 40-hour week.

The contract includes Loew's Rochester, RKO Palace, Capitol, Regent, Century and RKO Temple, largest downtown houses. The Rochester Palace and Century are first runs. The wage raises range from five to 23 per cent and standard working conditions are established under the contract.

Epidemic of Flu Hits Theatres in Atlanta

Atlanta, Jan. 20.—Due to an epidemic of influenza in Atlanta, theatre attendance in the city for the past week has been as much as 50 per cent off.

All theatres have reported a big drop in attendance and school authorities have warned parents to keep children out of theatres. Health officials think the peak has been reached. Rainy weather did further damage at the box-office.

Build New Canadian Houses Despite War

Toronto, Jan. 20.—Theatre construction in eastern Canada continues despite the increasing difficulty of securing steel and other building materials because of the war. A group of backers has been organized to erect a theatre in Westboro, Ont., to seat 500 persons at a cost of $45,000.

Construction of a new theatre at Kingston, Ont., has been started by Biltmore Theatres Ltd., Toronto, which erected the Biltmore at Oshawa some months ago. According to President B. Axler, the Kingston house will accommodate 750. Kingston is busy because of war industries and the presence of a large garrison of troops in training for active service.

Rogers in Toronto

Toronto, Jan. 20.—Following the death in New York while on a business trip of B. W. Silver, president of Colonial Pictures, Ltd., Toronto, Budd Rogers, general manager of Alliance Films Corp., is here from New York to study plans for continued operation of the Canadian distributing firm, which had the franchise for a group of Alliance productions.

Roosevelt's Inauguration Jogs Grosses

(*Continued from page 1*)

of the surging street crowds. The Earle also reported capacity business. The same has been true throughout the weekend.

Midnight shows were offered by the Warner Earle on Saturday and Sunday nights, and Loew's Capitol on Sunday night, Warner's Metropolitan on both nights, and RKO Keith's had a late show last night.

With armored cars and fast tanks headlining the spectacular show, some 750,000 persons watched the inaugural parade, while numerous film stars, including Raymond Massey and Nelson Eddy, occupied seats near the President's reviewing stand.

The holiday spirit is expected to prevail in the city for another 10 days, culminating in the President's birthday celebration on Jan. 30.

Newsreel coverage of the inauguration was the most complete and elaborate ever attempted. From President Roosevelt's departure from the White House at 10:30 a.m. to worship in church until his return to the Executive Mansion five hours later, the newsreels shot upward of 50,000 feet of film.

Principal stationary positions were at the East front of the Capitol, where the President was sworn in by Chief Justice Hughes; at the Treasury Building, looking down historic Pennsylvania Avenue; in the "Court of Freedom," near the White House and atop an office building midway between Capitol and White House. The latest equipment was being used, according to the newsreel men, with extremely long lenses—12, 17 and 20-inch—being employed for shots at the Capitol.

Critics See 'Wind' Again

M-G-M screened "Gone With the Wind" for New York critics at a special anniversary party in Loew's projection room last night. In addition to seeing the film the critics were shown the screen tests which won her role for Vivien Leigh.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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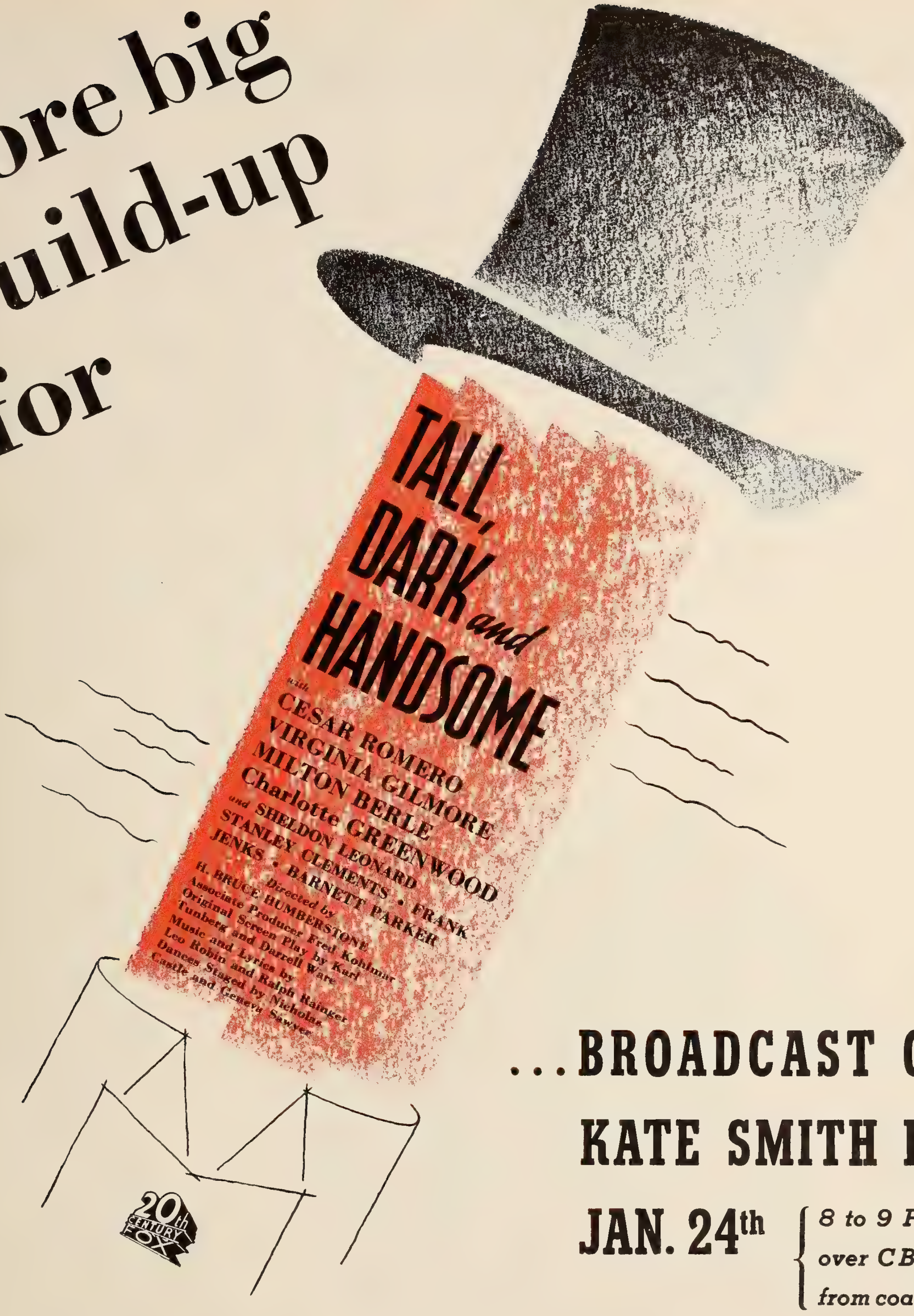
more big build-up for


TALL, DARK and HANDSOME
with
CESAR ROMERO
VIRGINIA GILMORE
MILTON BERLE
Charlotte GREENWOOD
and SHELDON LEONARD
STANLEY CLEMENTS • FRANK
JENKS • BARNETT PARKER
Directed by
H. BRUCE HUMBERSTONE
Associate Producer Fred Kohlmar
Original Screen Play by Karl
Tunberg and Darrell Ware
Music and Lyrics by
Leo Robin and Ralph Rainger
Dances Staged by Nicholas
Castle and Geneva Sawyer
20th CENTURY FOX

. . . BROADCAST OVER KATE SMITH HOUR

JAN. 24th — *8 to 9 P. M. E S T over CBS stations from coast to coast!*

. . . OPENS AT ROXY, N.Y.,

JAN. 23rd — *watch it walk away with all the business on Broadway!*

Los Angeles Gives 'Foyle' Big $29,300

Los Angeles, Jan. 20.—"Kitty Foyle" and "Six Lessons from Madame La Zonga" were strong here, with a total of $29,300 at two houses, $14,500 at the Hillstreet and $14,800 at the Pantages.

Estimated takings for the week ending Jan. 15:

"Chad Hanna" (20th-Fox)
"Romance of the Rio Grande" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $9,300. (Average: $12,500)
"Flight from Destiny" (W. B.)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $2,800. (Average, $3,250)
"Kitty Foyle" (RKO)
"Six Lessons from Madame La Zonga" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $6,500)
"Chad Hanna" (20th-Fox)
"Romance of the Rio Grande" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $12,300. (Average, $14,000)
"Kitty Foyle" (RKO)
"Six Lessons from Madame La Zonga" (Univ.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $14,800. (Average, $7,000)
"Love Thy Neighbor" (Para.)
PARAMOUNT — (3,595) (44c-55c-75c) 7 days, 2nd week. Stage: Peter Lind Hayes & Fanchonetts-Rube Wolf Orchestra. Gross: $16,000. (Average, $18,000)
"Santa Fe Trail" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,900. (Average, $14,000)
"Santa Fe Trail" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $11,600. (Average, $12,000)

'Letter' Good for $13,000 in Toronto

Toronto, Jan. 20.—"The Letter" at the Uptown drew $13,000, while "Bitter Sweet" gained $11,000 at Loew's.

Estimated takings for the week ending Jan. 18:

"Arizona" (Col.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Stage: "Memoirs in Music", one night engagement. Gross: $10,000. (Average, $9,000)
"Bitter Sweet" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $11,000. (Average, $9,000)
"East of the River" (W. B.)
"She Couldn't Say No" (W. B.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $7,000. (Average, $7,500)
"A Dispatch from Reuters" (W. B.)
"One Night in the Tropics" (Univ.)
TIVOLI — (1,434) (15c-25c-40c) 6 days. Gross: $4,000. (Average, $3,900)
"The Letter" (W. B.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $13,000. (Average, $9,000)

'Chorus' Captures $6,000 in Montreal

Montreal, Jan. 20.—"Second Chorus" and "Jennie" took $6,000 at the Capitol. "Santa Fe Trail" garnered $8,000 in its first week at Loew's.

Estimated takings for the week ending Jan. 16:

"Santa Fe Trail" (W. B.)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $8,000. (Average, $7,000)
"The Thief of Bagdad" (U. A.)
ORPHEUM—(1,000) (30c-43c) 7 days, 3rd week. Gross: $3,400. (Average, $4,000)
"Bitter Sweet" (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 2nd week. Gross: $4,000. (Average, $7,000)
"Second Chorus" (Para.)
"Jennie" (20th-Fox)
CAPITOL — (2,800) (25c-45c-55c) 7 days. Gross: $6,000. (Average, $4,000)
"Tugboat Annie Sails Again" (W.B.)
"The Return of Dr. X" (W.B.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,500. (Average, $2,500)

Hollywood Reviews

"Mr. and Mrs. Smith"

(RKO) *Hollywood, Jan. 20*

CAROLE LOMBARD and Robert Montgomery, veterans in the field of what Hollywood calls "screwball comedy," have in this treatment of domesticity in the rough many an opportunity for display of their talents. Gene Raymond, his blond hair now brunette, has the role of next importance; with Jack Carson, Philip Merivale, Lucile Watson, William Tracy, Emma Dunn, Betty Compson and others in support.

A departure for Alfred Hitchcock, who directed for Executive Producer Harry E. Edington, the film is from a story and screenplay by Norman Krasna. It is of the school of humor which most people date from "It Happened One Night" and deals with urges, impulses and associations of ideas which parents like to believe their children will not be knowing much about for a few years yet.

The man and wife of the story, Montgomery and Miss Lombard, wind up a bedroom argument of three days' duration in the opening sequence and separate on slightly strained terms, he to go to his office, after he states, in answer to her question, that if he had it to do over again he wouldn't marry. That day he learns that, due to a technicality involving a boundary line, their three-year-old marriage is not legal.

Unaware that she has also learned of this, he invites her out to dinner, intent on duplicating their original wooing preliminary to duplicating their wedding, this time legally, but it doesn't come off happily and he forgets to mention the matter of illegality until, as they are on point of retiring, she throws his clothes out of the apartment and sends him after them.

Next day he tries to persuade her to marry him but she declares she never will. On the contrary, she goes out with his law partner, Raymond, ultimately becoming engaged to him, the distraught Montgomery persisting, throughout a series of complicated situations, in his efforts to win her back. At midpoint in the picture some dialogue between the law partners sets up the point that by reason of their three-year association Montgomery and Miss Lombard are man and wife by common law. Raymond and Lombard continue their plans to wed, however, until the final sequence, in which, after she has faked a rapturous interlude with Raymond within hearing but not sight of Montgomery, the latter breaks in upon her and, to her expressively indicated satisfaction, prepares to resume the marital relationship which, save by the common law definition, is still as illegal at the close of the picture as at the start of it.

Shown to press and profession at the Four Star theatre on a midweek afternoon, the picture drew much laughter at many points in its unreeling and left the audience a trifle suspended when it closed on a note of passion without having legalized the situation.

Running time, 90 minutes. "A."* Roscoe Williams

"A" denotes adult classification.

"Tall, Dark and Handsome"

(20th Century-Fox)

A GANGSTER story treated throughout in light vein, but not without action and suspense, "Tall, Dark and Handsome" refers to its main character, the kind-hearted underworld ruler, portrayed by Cesar Romero.

As a big shot in the Chicago of the late 1920's, Romero poses as a banker, hires Virginia Gilmore to act as governess to his non-existent children. He unearths a tough descendant of a dead gangster, poses him as his son, the boy being played to perfection by young Stanley Clements. Although his ruse is discovered, the gangster and the governess fall in love, eventually flee town together.

Charlotte Greenwood is seen as a night club entertainer, Milton Berle as the fast-talking right hand man of the gangster, instrumental in exposing his secret of hiding alleged victims safely in a jail in his own house. This leads to a declaration of war by the leader of the town's other gang, Sheldon Leonard, who also wants to share Miss Gilmore's affections.

The original screenplay was written by Karl Tunberg and Darrell Ware, directed by H. Bruce Humberstone, with Fred Kohlmar acting as associate producer. Leo Robin and Ralph Rainger contributed three songs, one of which is sung by Miss Greenwood, the others by Miss Gilmore.

The performances throughout are on a plane with the pace set by the story, with Romero equally at ease as the overdressed and swaggering caricature of an underworld ruler and as the romantic leading man.

Running time, 78 minutes. "G."* W.S.

"G" denotes general classification.

'Santa Fe' at $46,000 Best Chicago Draw

Chicago, Jan. 20.—"Santa Fe Trail" plus the Ink Spots heading a stage show at the Chicago drew $46,000. "Kitty Foyle" and "Saint at Palm Springs" took $20,000 in the third week at the Palace.

Estimated takings for the week ending Jan. 17:

"Love Thy Neighbor" (Para.)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $5,500. (Average, $6,500)
"Santa Fe Trail" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Ink Spots & Variety Show. Gross: $46,000. (Average, $32,000)
"Bitter Sweet" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. 2nd week. Gross: $5,000. (Average: $5,000)
"Behind the News" (Rep.)
ORIENTAL — (3,200) (25c-40c) 7 days. Stage: A. B. Marcus Revue. Gross: $18,000. (Average, $13,000)
"Kitty Foyle" (RKO)
"Saint at Palm Springs" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. 3rd week. Gross: $20,000. (Average, $13,000)
"Thief of Bagdad" (U. A.) (4 days)
"Chad Hanna" (20th-Fox) (3 days)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $11,000. (Average, $11,000)
"Here Comes the Navy" (W. B.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Gray Gordon Orchestra. Gross: $20,000. (Average, $15,000)
"Comrade X" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average, $14,000)

'Company,' Revue $16,500, Cincinnati

Cincinnati, Jan. 20. — "Keeping Company" on the screen, plus a Sally Rand revue, brought $16,500 to the RKO Shubert, and "Kitty Foyle" gave the Albee $15,500.

Estimated takings for the week ending Jan. 15-18:

"Kitty Foyle" (RKO)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $15,500. (Average, $12,000)
"Flight Command" (M-G-M)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $10,000)
"Keeping Company" (M-G-M)
RKO SHUBERT—(2,150) (44c-60c) 7 days. Stage: Sally Rand Revue. Gross: $16,500. (Average, $10,000)
"Gone With the Wind" (M-G-M)
RKO CAPITOL—(2,000) (50c-55c-60c) 7 days. 3rd week. Gross: $9,600. (Average, at 33c-40c-50c, $5,500)
"Comrade X" (M-G-M)
RKO GRAND — (1,450) (33c-40c-50c) 7 days. 2nd week. Gross: $4,300.
"Son of Monte Cristo" (U.A.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. 2nd week. Gross: $2,800. (Average, $4,500)
"So You Won't Talk" (Col.)
"Trailing Double Trouble" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,300. (Average, $1,200)
'Give Us Wings" (Univ.)
"Meet the Wildcat" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $1,000. (Average, $800)
"Love Thy Neighbor" (Para.)
KEITH'S — (1,500) (33c-40c-50c) 7 days. 2nd week. Gross: $4,800. (Average, $6,000)

'Chorus' at $8,100 Despite Omaha Cold

Omaha, Jan. 20.—In cold and rainy weather, "Second Chorus" was good for $8,100 at the Orpheum.

Estimated takings for the week ending Jan. 15-16:

"Kitty Foyle" (RKO)
"The Saint at Palm Springs" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. 2nd week. Gross: $4,100. (Average, $4,000)
"Go West" (MGM)
"Gallant Sons" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,300. (Average, $6,000)
"Second Chorus" (Para.)
"Murder Over New York" (20th-Fox)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $8,100. (Average, $7,200)

CARRY A TORCH FOR

LAND OF LIBERTY

presented by the motion picture industry to make 130 million people proud to be Americans!

"WHY TALK ABOUT PATRIOTISM WHEN YOU CAN DO SOMETHING ABOUT IT!"

Mr. Exhibitor, when you play "LAND OF LIBERTY" it's a rare opportunity to score at the box-office and simultaneously in the grateful heart of your community!

SEE IT WITH YOUR OWN THRILLED EYES

(Ask for a screening at your M-G-M *Branch! Ask anyone who has seen it!)*

AND YOU'LL JOIN THE CHEERING CRITICS!

(continued above)

SOCKO ENTERTAINMENT *say the* CRITICS!

"Stunning . . . a glowing tribute to the narrative power of the cinema . . . Interesting, informative and entertaining . . . A striking dramatization of the nation's history and belongs in every theatre . . . A monumental success." **—M. P. HERALD**

"The film is unique . . . extremely well handled by Cecil B. DeMille . . . the cast is enough to knock anyone's both eyes out." **—BOX OFFICE**

"This unique production is in a class by itself . . . One of the finest achievements of its kind the industry has ever known . . . Fascinating." **—FILM DAILY**

"A magnificent job . . . swiftly moving . . . studded with drama . . . in consideration of the present temper of the people of this country, general world conditions and the preoccupation of the nation with matters of freedom and the support of the democratic ideal, this film should find strong popular support at the theatre." **—M. P. DAILY**

"Truly a 'Cavalcade of America.' . . ." **—VARIETY**

"Rare indeed are the opportunities of encountering in any medium such vitally absorbing entertainment . . . Amazing entertainment force, capable of holding a rank-and-file audience spellbound through its entire length." **—HOLLYWOOD REPORTER**

REMEMBER!

The entire cost of making "Land of Liberty" was donated by the organized industry!

(1) Every producer joined in making this timely entertainment which dramatizes America and its democratic way of life.

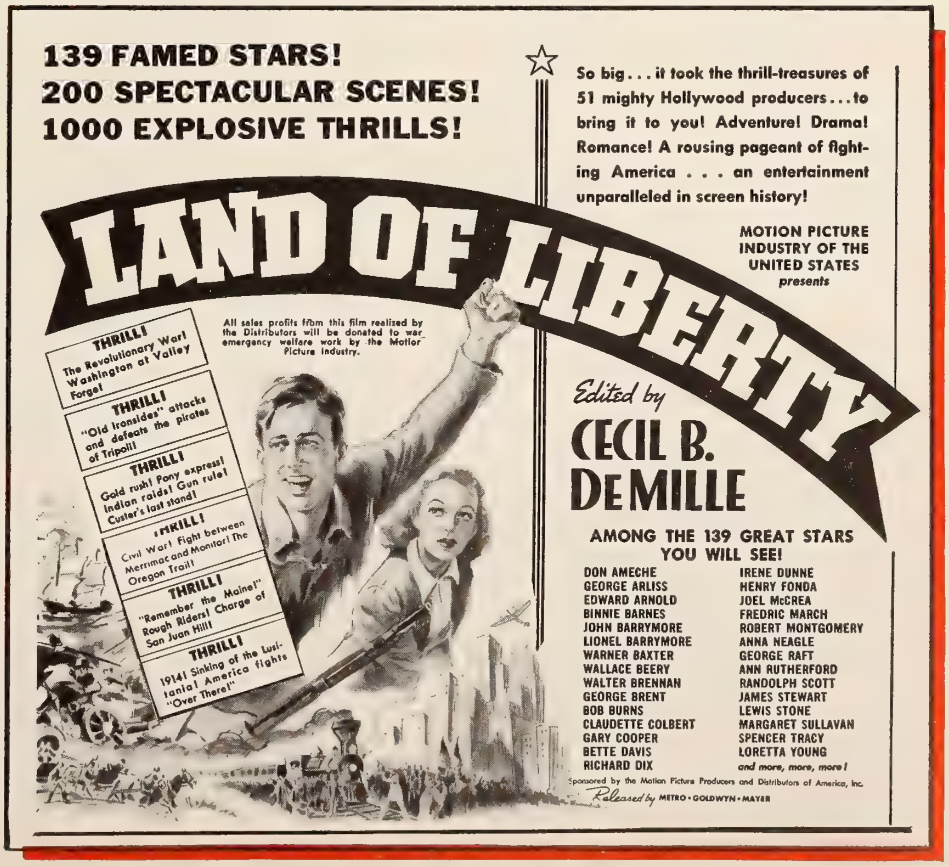
(2) All sales profits realized are being donated to war emergency work.

(3) All the services of distribution are given free.

(4) Exhibitors are asked for rental only. Exceptional opportunities are yours through live-wire showmanship!

(5) M-G-M is handling distribution on behalf of the industry. Communicate with your M-G-M Branch.

BELOW: *Two-fisted showmanship packed Williamsport test run. This is a typical ad. Complete campaign, easily duplicated, available at your M-G-M Branch.*



139 FAMED STARS!
200 SPECTACULAR SCENES!
1000 EXPLOSIVE THRILLS!

So big . . . it took the thrill-treasures of 51 mighty Hollywood producers . . . to bring it to you! Adventure! Drama! Romance! A rousing pageant of fighting America . . . an entertainment unparalleled in screen history!

MOTION PICTURE INDUSTRY OF THE UNITED STATES
presents

LAND OF LIBERTY

All sales profits from this film realized by the Distributors will be donated to war emergency welfare work by the Motion Picture Industry.

THRILL! The Revolutionary War! Washington at Valley Forge!

THRILL! "Old Ironsides" attacks and defeats the pirates of Tripoli!

THRILL! Gold rush! Pony express! Indian raids! Gun rule! Custer's last stand!

THRILL! Civil War! Fight between Merrimac and Monitor! The Oregon Trail!

THRILL! "Remember the Maine!" Rough Riders! Charge of San Juan Hill!

THRILL! 1914! Sinking of the Lusitania! America fights "Over There!"

Edited by
CECIL B. DEMILLE

AMONG THE 139 GREAT STARS YOU WILL SEE!

DON AMECHE
GEORGE ARLISS
EDWARD ARNOLD
BINNIE BARNES
JOHN BARRYMORE
LIONEL BARRYMORE
WARNER BAXTER
WALLACE BEERY
WALTER BRENNAN
GEORGE BRENT
BOB BURNS
CLAUDETTE COLBERT
GARY COOPER
BETTE DAVIS
RICHARD DIX
IRENE DUNNE
HENRY FONDA
JOEL McCREA
FREDRIC MARCH
ROBERT MONTGOMERY
ANNA NEAGLE
GEORGE RAFT
ANN RUTHERFORD
RANDOLPH SCOTT
JAMES STEWART
LEWIS STONE
MARGARET SULLAVAN
SPENCER TRACY
LORETTA YOUNG
and more, more, more!

Sponsored by the Motion Picture Producers and Distributors of America, Inc.
Released by METRO • GOLDWYN • MAYER

"I'm proud to be an American and proud to present in my theatre–

LAND OF *Liberty*"

"Mister American
Showman:
Here's a truly
great and
inspiring
attraction!
Get behind
it with
your heart!"

PRINTED IN U.S

'Kitty Foyle' Denver Best, Gets $11,000

DENVER, Jan. 20.—"Kitty Foyle" and "I'm Still Alive" at the Orpheum drew $11,000. At the Denver, "This Thing Called Love" and "Lady With Red Hair" took $10,300.

Estimated takings for the week ending Jan. 15:

"Santa Fe Trail" (W. B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $4,300. (Average, $3,500)

"Comrade X" (M-G-M)
"Saint at Palm Springs" (RKO)
BROADWAY—(1,040) (25c-35c-40c) 7 days. 2nd week. Gross: $2,800. (Average, $2,500)

"Love Thy Neighbor" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $6,500. (Average, $6,000)

"This Thing Called Love" (Col.)
"Lady With Red Hair" (W.B.)
DENVER—(2,525) (25c-35c-40c) 7 days. Gross: $10,300. (Average, $8,000)

"Kitty Foyle" (RKO)
"I'm Still Alive" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $8,000)

"East of the River" (W.B.)
"Phantom Submarine" (Col.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,800. (Average: $4,000)

"Thief of Bagdad" (U.A.)
"Street of Memories" (20th-Fox)
RIALTO—(878) (25c-40c) 7 days, "Thief of Bagdad," 3rd week. Gross: $2,300. (Average, $1,750)

'Margie' and Holtz Big in Minneapolis

MINNEAPOLIS, Jan. 20.—"Margie," coupled with a Lou Holtz stage show, led the parade here with $12,500. "Tin Pan Alley" did $10,000 at the State.

Estimated takings for the week ending Jan. 17:

"Margie" (Univ.)
MINNESOTA—(4,000) (28c-39c) 7 days. On stage: Lou Holtz, Wendy Barrie, Arlene Judge, Lola Lane and others. Gross: $12,500.

"Tin Pan Alley" (20th-Fox)
STATE — (2,300) (28c-39c-44c) 8 days. Gross: $10,000. (Average, $6,000)

"Arizona" (Col.)
ORPHEUM—(2,800) (39c-44c-55c) 10 days. Gross: $7,000. (Average, $5,500)

"Thief of Bagdad" (United Artists)
WORLD—(350) (28c-39c-44c-55c) 7 days, 3rd week. Gross: $1,800. (Average, $1,600)

"Comrade X" (M-G-M)
CENTURY—(1,600) (28c-44c) 8 days, 2nd week. Gross: $4,500. (Average, $4,000)

"East of the River" (W. B.) 4 days
"A Night at Earl Carroll's" (Para.) 6 days
GOPHER—(998) (28c) 10 days. Gross: $3,900. (Average, $2,500)

"Blondie Has Servant Trouble" (Col.) 5 days
"Ellery Queen, Master Detective" (Col.) 5 days
"Phantom Submarine" (Col.) 4 days
"She Couldn't Say No" (W. B.) 4 days
ASTER—(900) (15c-28c) 9 days. Gross: $3,400. (Average, $1,800).

Powers Rites Today; Ward Lascelle Dies

Funeral services for John Howard Powers, once D. W. Griffith's general manager, will be held today at the Universal Chapel with burial following at Ferncliff, Westchester. He died on Friday at the Hotel Plymouth where he had been livng in retirement. There are no survivors.

In Los Angeles, Ward Lascelle, pioneer director, associated years ago with the Fine Arts-Griffith company, died at his home on Sunday. Before retiring from the industry in 1929, he had also produced independently. His widow, Margaret, survives.

20th-Fox Acquires 6 New Story Properties in Week

Hollywood, Jan. 20

TWENTIETH CENTURY-FOX went on a property buying spree last week, acquiring the film rights to six properties. It purchased the novel, "Benjamin Blake," by EDISON MARSHALL, to be published by Farrar and Rinehart, and assigned WILLIAM PERLBERG to produce it. Rights to "Charlie's Aunt," BRANDON THOMAS play being revived on Broadway, were obtained.

A hit play of 1935, "Remember the Day," by PHIL HIGLEY and PHILIP DUNNING, was the third property obtained, and DUNNING and TESS SCHLESINGER will do the script. LINDA DARNELL might be starred in the film version. JOSEPH SCHRANK, one of the authors of the revue "Pins and Needles," sold the studio "Lazy Galahad," an unpublished story.

Two originals by EDWARD VAN EVERY were also acquired and VAN EVERY signed to do the treatment. Both stories will be grouped under the title "Coney Island."

James Stewart will co-star with Jeanette MacDonald in M-G-M's remake of "Smilin' Through." Victor Saville will produce. . . . Universal has set Irene Hervey and Lloyd Nolan to star in "Mr. Dynamite." . . . Preston Sturges, Paramount writer-director, is working on his own original "Sullivan's Travels" which will be his next production there.

M-G-M has had a special role written into "Lady Be Good," high budget musical, for LIONEL BARRYMORE. . . . Warners has set RICARDO CORTEZ in "No Hard Feelings," being directed by WILLIAM MCGANN. . . . HELEN WESTLEY gets the role MAY ROBSON is prevented by other commitments from doing in RKO's "Sunny." . . . HELEN MACK and MARSHA HUNT have been signed for "Power Dive," first of the RICHARD ARLEN vehicles Producers Corp. of America will release through Paramount. . . .VICTOR JORY has been set for "Men of Action," HARRY SHERMAN'S next Hopalong Cassidy western.

BRIAN AHERNE will costar with CLAUDETTE COLBERT and RAY MILLAND in "Skylark," MARK SANDRICH'S next direction-production assignment at Paramount. . . . Warners has given NAN WYNN, radio singer, a term contract, as well as extending GEORGE TOBIAS' deal. . . . RISË STEVENS, Metropolitan opera star signed by M-G-M, will first appear opposite NELSON EDDY in "The Chocolate Soldier," production on which will start some time in May. VICTOR SAVILLE will produce. . . . LOTHAR MENDES has been set to direct Warners' "The Flight Patrol," announced as one of the studio's top productions for the year. DENNIS MORGAN and HUMPHREY BOGART are being tested for the leads.

Sir Cedric Hardwicke has been signed to a three-picture deal by RKO. . . . Billy Gilbert goes into "One Night in Lisbon," Paramount. . . . Osa Massen, Swedish actress, joins the cast of M-G-M's "A Woman's Face." . . . Monogram's "Air Devils" cast will consist of Leo Gorcey, Bobby Jordan, David Gorcey, Donald Haines, Sunshine Sammy, Eugene Francis, Joan Barclay, Herbert Rawlinson, Dennis Moore and Sid Saylor.

JOHN TWIST is writing the story and the treatment for "Army Surgeon," CLIFF REID production at RKO. . . . WALLACE BEERY'S next production at M-G-M will be "Get a Horse," story of the start of the automobile industry. EDGAR SELWYN will produce. . . . LEW LANDERS has been assigned to direct GENE AUTRY'S "Song at Twilight" at Republic. . . . Republic has borrowed SUSAN HAYWARD from Paramount for "Sis Hopkins," JUDY CANOVA vehicle. . . . JOAN CARROLL, eight-year-old actress, will be starred in RKO's "An Obliging Young Lady," for which JERRY CADY is doing the script.

M-G-M has shifted the name of "The Trial of Mary Dugan" to "The Crime of Mary Andrews." RKO's "Palm Beach Limited" is now "My Life with Caroline." Columbia's "The Return of Boston Blackie" is renamed "Meet Boston Blackie." "Shadows on the Stairs" is the new title for Warners' "Murder on the Second Floor."

'Wedding' to Open In London Jan. 31

LONDON, Jan. 20.—Paramount has scheduled the opening of Paul Soskin's production, "Quiet Wedding" for a West End Theatre on Jan. 31, with plans set for an elaborate premiere.

Paramount is understood planning world release on the film. Soskin is preparing another large scale production, in which the work of British newspapermen set against a background of England's history from the time of Munich to the recent fire in London's City. David Niven is seeking leave from his Army duties to play the lead. The Ministry of Information is releasing hitherto undisclosed material in cooperating on the production.

'Wind' Is Strong In Worcester Run

WORCESTER, Mass., Jan. 20.—"Gone With the Wind" at Loew's Poli here opened to average business Thursday and Friday despite a sleet storm, but when the ice started to disappear, the theatre was crowded Saturday and Sunday. The film previously did a month's sensational business as a roadshow. The present top is 55 cents instead of the usual 39.

Two Companies Formed

ALBANY, Jan. 20.—Recently incorporated here were: F. G. G. Theatres, Inc., by Isidor Stroll, J. Richard Chernok and Caroline Benforado, New York, and Carioca Producing Corp., by William Saxe, Robert C. Sullivan and Robert A. Rockhill, New York.

'Comrade X' Frisco Lead With $21,000

SAN FRANCISCO, Jan. 20.—"Comrade X" and "Romance of the Rio Grande" took $21,000 at the Fox. "Love Thy Neighbor" paired with "Murder Over New York" for $14,500 in the second week at the Paramount.

Estimated takings for the week ending Jan. 14-17:

"Let's Make Music" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $14,000. (Average, $15,000)

"Comrade X" (M-G-M)
"Romance of the Rio Grande" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $21,000. (Average, $16,000)

"Santa Fe Trail" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,200. (Average, $6,000)

"This Thing Called Love" (Col.)
"Ellery Queen, Master Detective" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $11,000. (Average, $8,000)

"Thief of Bagdad" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 3rd week. Gross: $7,800. (Average, $8,000)

"Love Thy Neighbor" (Para.)
"Murder Over New York" (20th-Fox)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 8 days, 2nd week. Gross: $14,500. (Average, $11,500)

"Hudson's Bay" (W. B.)
"Michael Shayne" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 9 days, 2nd week. Gross: $13,000. (Average, $12,000)
CLAY—(400) (15c-35c-45c) 7 days, 3rd week. Gross: $700. (Average, $1,000)

'Dick,' Stage Show Milwaukee Smash

MILWAUKEE, Jan. 20.—Fox's Wisconsin took $15,000 with "The Bank Dick" and "Streets of Paris" on the stage. "Give Us Wings" and Ada Leonard on the stage of the Riverside drew $10,000.

Estimated takings for the week ending Jan. 16:

"Victory" (Para.)
"A Night at Earl Carroll's" (Para.)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $5,000. (Average, $4,000)

"Give Us Wings" (Univ.)
RIVERSIDE—(2,700) (33c-44c) 7 days. Stage: Ada Leonard. Gross: $10,000. (Average, $6,500)

"Comrade X" (M-G-M)
"Hullabaloo" (M-G-M)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,000. (Average, $1,500)

"Four Mothers" (W. B.)
"Trail of the Vigilantes" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,800. (Average, $4,500)

"The Bank Dick" (Univ.)
WISCONSIN—(3,200) (44c-65c) 7 days. Stage: "Streets of Paris." Gross: $15,000. (Average, $5,500)

Cinema Lodge Will Meet Here Tonight

Arthur Israel, Jr., president of Cinema Lodge of B'nai B'rith, has announced that Dr. Milton Steinberg, head of the Park Avenue Synagogue, would be an additional speaker at an open meeting scheduled by the lodge for tonight at the Hotel Edison.

Principal speaker will be Dr. Abram L. Sachar, distinguished historian of the University of Illinois faculty.

Atlanta Banquet Feb. 1

ATLANTA, Jan. 20.—The first annual banquet and installation of officers of the Atlanta Variety Club will be held Feb. 1, with Deanna Durbin, Universal star, expected as honor guest.

Crossley Shows No Air Audience Loss

(Continued from page 1)

Among all 21 of the network programs which are wholly or preponderantly musical, 14 showed changes of less than 1 per cent between January and December, N.A.B. reported.

Crossley ratings are prepared for the benefit of network or advertising agency subscribers and figures are copyrighted. As a result, ratings cannot be published without specific permission. Generally, in matters of public interest, ratings are made available. However, neither C.A.B. nor N.A.B. yesterday would make the figures public.

BMI disclosed that three songs in the new Globe film production, "Pot o' Gold," with Horace Heidt, are being published by BMI. The latter organization also acquired performing and broadcastings rights to 70 numbers in the Regent Music Corp. catalogue.

Orders 'U' Action Complaint Amended

William Freiday, plaintiff in a directors' suit against Universal and its directors and officers was ordered yesterday by N. Y. Supreme Court Justice Edward R. Koch to serve an amended complaint in his suit.

The court ruled that voting trust agreements attacked in the complaint did not constitute "a wrong to Universal Corp. or Universal Pictures, but, at most, to the stockholders individually" and that a separate cause of action would have to be stated. Freiday also was directed to separately state his cause which seeks termination of contractual relations between Universal and the Big "U" Film Exchange.

Buxbaum Is Guest At Birthday Party

Harry Buxbaum, 20th Century-Fox branch manager here, yesterday was given a birthday party by the exchange's selling and booking forces at Sardi's.

Those present included Joseph Lee, Moe Kurtz, Moe Sanders, Al Mandelson, Seymour Florin, Abe Blumstein, William Schutzer, George Blendermann, Louis Kutler, Peter Fishman, Jack Wolff, Herman Reiper, Frank Levitt, John Weinberger and Joseph St. Clair.

Dismiss Plagiarism Suit Against Para.

CHICAGO, Jan. 20.—Federal Judge Barnes today dismissed the plagiarism suit of Allan Lieber, a writer, against Paramount. The company's motion to dismiss, made by Louis Phillips, home office attorney, was granted by the court at the close of argument for the plaintiff and without Paramount having been heard.

Lieber charged in his suit that Paramount's production, "Professor Beware," had plagiarized his play "Gummed Up."

Formato Leaves Warner

PHILADELPHIA, Jan. 20.—Lou Formato, Warner Brothers short subjects booker, has resigned from the local exchange. He has left for New York, his future affiliation undisclosed.

Off the Antenna

WITH many television executives genuinely concerned with the possibility that the FCC may decide to stop television activity during the period of the current emergency, occasional efforts are being made by television executives to point out the real services which television can perform during war time. For one thing, it was pointed out, if television were given a year or so to develop it would cover a wide area and could be used as a visual aid for instruction to large sections of the populations on an almost instantaneous basis.

For example, it was said, when British civilians were called upon to extinguish incendiary bombs recently the problem could have been simplified by instruction in the proper and safest methods over television. Last year, RCA demonstrated the military possibilities of television scouting by airplane and although this method is far from being perfected it is believed that a wide awake special events staff of a local television station would probably meet and solve many of the problems which would be faced by an army scouting plane.

Most important, however, is television's contribution from a standpoint of morale. It was pointed out that if England's television system had experimented with wire services it would have been possible to furnish the thousands gathered in the larger shelters with nightly entertainment. Even if television were to be broadcast solely through the air, it was pointed out that many in England go to the shelters each night rather than risk being awakened from sleep. In such cases, it was said, television could be of service as entertainment during the early evening hours.

• • •

Purely Personal: *Roberto I. Unanue has been named Latin American news editor for CBS . . . Fred Bate, NBC London representative, has been delayed in Lisbon and now is not expected here until tomorrow or Thursday . . . Walter Preston, NBC manager of the public service division, returned to his desk yesterday after a three-week absence . . . Douglas Fairbanks, Jr., will be heard over CBS Thursday at 5:30 P.M. in an appeal for aid to Britain . . . Ireene Wicker was tendered a luncheon by NBC yesterday at the St. Regis in a triple celebration, her 10th anniversary on the air, her marriage to Victor Hammer, and her new role in "Deadline Dramas" . . . Hal Bock, manager of NBC's Hollywood press department, and Bill Ray, head of the Chicago press division, came to town yesterday for a week of conferences.*

• • •

WOV opened its new studios at 730 Fifth Ave. yesterday. The offices and studios occupy the entire 12th floor and part of the 14th floor. Instead of the three studios previously used there are five under the new setup . . . . Howard Baron joined WOV yesterday as music librarian and Ruth Girard, program secretary to Stuart Buchanan has been named program manager. Maurice Dreicer has a new show on the station, heard Mondays through Fridays at 11:15 P.M. . . . Bill Broomwell, WOV announcer, has resigned to head the Southwestern Lecture Bureau for CBS. Broomwell will make his offices in Dallas.

• • •

Donald F. Shaw, *WMCA general manager, will continue with the station with "amplified responsibilities and authority," Edward J. Noble, new owner of WMCA, announced yesterday. Leslie Evan Roberts, the program head, has been named personal assistant to Shaw, as has been John F. Curtiss, who was formerly engaged in advertising and promotion. Noble stated that all department heads will report directly to Shaw.*

• • •

Program News: *The Brazilian Government will resume sponsorship of the Pearson-Allen show, "Sunday Evening News of the World," this Sunday at 7:30 P.M. The program was discontinued Dec. 28 over eight NBC-Blue stations but will be heard over 45 when it is resumed . . . Harry Hershfield will start a new show, "Life is Funny," at 2:15 P.M. Sunday . . . "David Harum" has been renewed for 52 weeks by B. T. Babbitt over 50 NBC-Red stations.*

Stockholder Sues CBS and Officers

A stockholder's suit against CBS and 19 of its officers and directors was filed yesterday in N. Y. Supreme Court by Henry G. Mason, who charged the defendants with mismanagement and malfeasance. Details of the suit were not revealed.

KWIL Joins Mutual

KWIL, Albany, Ore., operating on 1,210 k.c. with 250 watts, has joined the Mutual and Don Lee networks as a full time outlet.

Berns Joins Warners

Bill Berns, WBNX film commentator, has joined the Warner publicity staff. He will continue on WBNX on Saturdays and Sundays.

N.A.B. Convention In St. Louis May 12

The National Association of Broadcasters will hold its 19th annual convention May 12 to 15 at the New Jefferson Hotel, St. Louis, Mo., it was announced yesterday by Neville Miller, N.A.B. president.

Included in the N.A.B. membership are 502 of the nation's 832 broadcasting stations.

Committee on Photo Ball

The debutante committee of the Press Photographers Association of New York is conducting a drive to stimulate attendance at the 12th annual dance Feb. 14 at the Hotel Astor. Josephine Marie Johnson is chairman of the group, which includes: Betty Hatch, Katherine Jones, Hope Carroll, Susan Stephenson and Marie Louise Aigeltinger.

Canadian Networks Join in War on Ascap

Broadcast Music, Inc., reported last night that it had been notified by telephone from Montreal that the Canadian Association of Broadcasters at a meeting there yesterday decided to join the National Association of Broadcasters in supporting B.M.I. in its fight against Ascap.

The C.A.B. passed a resolution to that effect.

Smith Would Settle Sound Union Pact

HOLLYWOOD, Jan. 20.—Harold V. Smith has offered to relinquish his post as business representative of I. A. T. S. E. Sound Technicians' Local 695 in consideration of $62,883, it was learned today. He also offered five alternatives in the event his settlement offer is not accepted.

Smith claims the union owes him $33,097 in back pay and is asking $11,286 as interest on that amount and $18,500 as a 50 per cent settlement of his contract, which has two and one-half years to run. He offered as alternatives plans under which portions of the salaries alleged to be due him would be paid, his contract extended for various periods under the same pay of approximately $1,115 monthly, or the granting of a new seven-year contract. Two of the proposals took into consideration the possibility of the sound men obtaining wage increases from major producers as a result of negotiations launched by Smith last week, and asked lump sums in payment in this event.

The local, which has about 600 members, is behind in its per capita tax to the international, it was learned.

B. M. I. to Consider U. S. Decree Today

The B. M. I. board of directors reportedly will consider terms of a proposed consent decree today which has resulted from conferences with the Department of Justice. Presumably, if the terms are accepted, the Government will drop the networks from its contemplated anti-trust action, would bring the suit against B.M.I. and subsequently enter whatever decree may be agreed upon.

This would leave the Government in a position to proceed against Ascap alone. The society rejected a proposed Government decree last month. It is understood that the Government suit and decree involving B.M.I. may be brought at Federal court in Baltimore.

Gas Fells Children

TORONTO, Jan. 20.—Scores of local children are recovering from the effects of gas fumes in the Doric Theatre, which spread through the house from a furnace during the Saturday matinee. There were no deaths. Sam Lester is owner and manager of the theatre. Emergency treatment was given by police and firemen.

AAA Selects First 16 Local Board Clerks

(Continued from page 1)

C. Williams, Fidelity Bldg.; Denver, J. B. Milton, Chamber of Commerce; Des Moines, Bruce Wilson, Walnut Bldg.; Detroit, Irvin Yackness, Penobscott Bldg.; Indianapolis, Lloyd Littell, Underwriters Bldg.; Kansas City, J. H. Brink, Waltower Bldg.; Los Angeles, Walter H. Elliot, Van Nuys Bldg.; Milwaukee, J. L. Loell, Loyalty Bldg.; Minneapolis, Sheldon Ostroot, McKnight Bldg.; Oklahoma City, Richard Romang, Commerce Exchange Bldg.; Omaha, Byron Pulis, Woodmen of the World Bldg.; Portland, J. P. Nelson, Pittock Block; St. Louis, C. W. Hudson, Cotton Belt Bldg.; Salt Lake City, Roy Backman, Continental Bank Bldg.; San Francisco, Charles Chambers, Mills Tower Bldg., Seattle, Joe J. Monahan, headquarters not announced.

Sturges to Conduct Sessions

Dr. Wesley A. Sturges, Yale law professor and a member of the A.A.A. administrative committee, will conduct the training sessions for the board clerks here. C. V. Whitney, A.A.A. president, will open the sessions. The functions of the A.A.A. will be explained by Miss Frances Kellor, first vice-president and members of her staff, while functions of the film tribunals will be discussed by J. Noble Braden, executive secretary.

Others who will address the training sessions are: Hermann Irion, vice-chairman of the administrative committee for the industry's boards; Michael Kurz, auditor for the industry arbitration system; Lawrence Stessin, A.A.A. public relations director; Dr. Walter Derenberg, legal research director for the system; Paul Felix Warburg, administrative committee chairman; James V. Hayes and Robert Sher of the Department of Justice, who will discuss the consent decree; and Sylvan Gotshal, vice-chairman of the administrative committee.

The clerks also will sit in at arbitration hearings which will be under way during their training period and will participate in the conducting of a simulated motion picture local board and a film arbitration proceeding.

Dismiss Glass Suit Versus Interstate

(Continued from page 1)

rested his case and the court sustained the Interstate motion to dismiss.

Glass, formerly of Dallas, sold his Knox and Fair theatres to Interstate for $40,000 prior to the suit. The action was the last of three similar cases against Interstate. One, by Sam Kirscheimer of Houston, was settled out of court. Another, by H. N. Jorgensen, resulted in a jury verdict of $1,500 for the plaintiff. George S Wright, Interstate attorney, said today, however, that he plans to file a motion for a new trial of the Jorgensen case. Judge Atwell will hear the motion within a few days.

'Philadelphia' Gets 5th Week at Hall; Broadway Strong

(Continued from page 1)

ture will gross about $88,000 for the week. Every show was aided by clear, although cold weather.

With Harry James' band and Frank Parker on the Paramount's stage, "Second Chorus," the Boris Morros-Fred Astaire film, made a pretty good showing over the weekend, and it is calculated by Paramount officials that the picture will garner easily $48,000 on the week, which is a nice figure hereabouts. The weekend gross was about $21,000.

"Hudson's Bay" is doing good in its second week business at the Roxy, which also presents a stage show with its film fare, and over the weekend grossed about $24,000. "Tall, Dark and Handsome" will succeed it on Thursday.

"Kitty Foyle," at the Rivoli, is also doing good business, and is expected to end its present week with about $20,000.

"Four Mothers," with Sammy Kaye's band on the stage, is estimated for about $20,000 on the week at the Strand. It will be followed Friday by "High Sierra," with Henry Busse's band on the stage, plus Quentin Reynolds, war correspondent who will make a special personal appearance in connection with the presentation of "Christmas Under Fire," British short subject.

"Night Train" continues to attract business to the Globe, grossing about $3,000 over the weekend, on this, its fourth week. Last week, the film garnered about $9,200, which is good.

Daylight Time Bill Filed in Wisconsin

MADISON, Wis., Jan. 20.—A bill has been introduced here to provide daylight saving time for any community in the state that wants it.

The measure, introduced by Senator Milton T. Murray, removes from the present statutes all restrictions which prevent localities from adopting daylight saving. It has the support of the State Medical Society of Wisconsin and will be opposed by exhibitors, farmers and labor.

Nebraska Ticket Levy Bill Planned

OMAHA, Jan. 20.—A state tax on theatre tickets and other public amusement admissions is the major part of a luxury tax bill being prepared for submission to the Nebraska legislature.

State Senator Neubauer said he is having some research work done before he drafts the measure and submits it. He plans to have his luxury tax bill replace the present one cent per gallon state gas tax now being levied for relief.

Robs Jacksonville House

JACKSONVILLE, Fla., Jan. 20.—Robert C. Heekin, manager of the Florida Theatre here, and two other employes were held up last night by a single bandit and robbed of $2,500 in receipts. The bandit escaped.

Complaints Bring End to Dual Bills

Jefferson City, Mo., Jan. 20. —So many complaints against double features were received by Arnold Gould of the Capitol Theatre here that he has discontinued the policy. Gould introduced double features at the Capitol for the first time only a few weeks ago. The Capitol is a Dubinsky Brothers theatre.

British Money Pact Reopening Possible

(Continued from page 1)

British revenues would be the repeal by Congress of neutrality laws followed by the making of loans to Great Britain, according to company officials.

The new agreement, which is for the 52 weeks from Oct. 27 last to Oct. 25 next, also assures the American companies that the Quota Act will be administered during the year "with due regard to the various obstacles that wartime circumstances may put in the path of production." Discussion of another monetary agreement "if necessary" after the current one will be begun at least three months before the termination of this one, or by next July, it is provided.

British property or titles acquired with blocked sterling may not be disposed of by the companies except to British interests subject to British laws during the life of the agreement or any succeeding one.

Circuit Buying Not Altered by Decree Terms

(Continued from page 1)

ess foreseen as a result of the decree is that several contracts will have to be made where units of a circuit are located in two or more exchange districts.

Even in these cases, however, the same circuit official who handled the buying in the past, whether in New York or in the field, will continue to handle the buying under the multiple contract process, it was said.

It was emphasized that Section V of the decree places no restraint upon the methods of negotiating for and buying film, and will not influence the removal of buying from New York by circuits such as Loew's and RKO which customarily handle the bulk of the film buying at their home offices. The same is true of the Paramount, Warner and National Theatres operations which for several years past have left film buying to the circuit operators in the field.

Section V of the decree reads: "No license for features to be exhibited in theatres located in one exchange district shall include theatres located in another exchange district, nor shall the licensing of features for exhibition in theatres located in one exchange district be conditioned upon the licensing of a feature or group of features for exhibition in theatres located in another exchange district."

A • M • P • A

takes particular pleasure in presenting as its
guest speaker at this week's luncheon meeting,

**W. G.
VAN SCHMUS**

**MANAGING DIRECTOR
Radio City Music Hall and
The Center Theatre**

You are cordially invited to attend. Members of the Executive Staff of the Music Hall will be introduced by Gus Eyssell, Assistant Managing Director.

THURSDAY — JANUARY 23
Serving at 12:45 p.m. sharp
HOTEL EDISON *SUN ROOM 46th & 47th W. of B'dway*
$1.25 INCLUDING TIP

Remember April 4 — Silver Jubilee — Benefit AMPA Relief Fund

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Is This Your Box Office?

Do you do everything you can to bring the paying customers under your marquee . . . into your lobby . . . up to your box-office? Do you change your frames . . . re-dress your marquee . . . redesign your lobby display . . . stand 'em up in front with color . . . smartness . . . brilliance when you've got a real money-grabbing picture? Do you take advantage of the press-books and the things they recommend?

Remember . . . advertising . . . showmanship . . . exploitation . . . was . . . is . . . always will be the lifeblood of this business.

Is your theatre full of red corpuscle advertising or does it need a blood-transfusion to bring your customer-approach up to snuff (PROFITS TO YOU).

If there's any doubt in your mind ask the Prize Baby . . . he's got the answers in Trailers . . . Lobby Displays . . . Standard Box Office Accessories by

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 15 NEW YORK, U. S. A., WEDNESDAY, JANUARY 22, 1941 TEN CENTS

Decree May Hasten End of Ascap Battle

U. S. Is Now Negotiating Directly With BMI

WASHINGTON, Jan. 21.—Settlement of the current feud between Ascap and BMI may be hastened by a consent decree, officials here believe. Presently, the Department of Justice is negotiating directly with BMI, and whatever action is taken by BMI, it is asserted, is dependent upon the action which the Department of Justice will take in bringing the adoption of a per use contract by Ascap.

This is the experts' view of current maneuvers which are being carried on behind closed doors here and in New York on behalf of all three parties. Such a consent decree, it is asserted, to be acceptable must include a proposal for the per use charge and clearance of music at the source.

There has been no official view from

(*Continued on page 7*)

Hyams Heads CEA Branch in London

LONDON, Jan. 21.—Sidney Hyams, manager of the State, Gaumont British house in Kilburn, has been named the new chairman of the London and Home Counties Branch of the Cinematograph Exhibitors Association.

The annual report of the chief unit of the exhibitors organization, which will be presented at a meeting of the branch next Tuesday, traces the manner in which film houses in the area carried on during a year of raids.

The report indicates that at one time 170 houses in the area covered by the branch, chief bomb target, were closed, but that many now are reopening and conditions are greatly improved. Tribute is paid in the report to the resourcefulness and courage of the theatre staffs.

Reviewed Today

Hollywood reviews of three pictures, "Pride of the Bowery," "Life With Henry" and "Honeymoon for Three," as well as short subject reviews are on page 6. "Arkansas Judge" is reviewed on page 7.

DuMont Sees Fight Boon to Television

Squabbles like the Ascap music fight "show cracks in the armor of the intrenched" broadcasters, according to Allen B. DuMont, head of DuMont Television. The fight, according to DuMont, "is only the beginning of a train of events that must lead to commercialized television." He added that when advertisers realize that their audiences are decreasing they will demand a "visual supplement, called television."

Honor Balaban at Dinner Tomorrow; Drive Winners Set

CHICAGO, Jan. 21.—Barney Balaban, president of Paramount, will be honored at a testimonial dinner at the Drake Hotel here on Thursday evening. The dinner will pay tribute to the executive on his fifth anniversary as president of Paramount, and will mark the termination of the Balaban & Katz Barney Balaban drive.

Approximately 400 are expected to attend the dinner, with A.M. Botsford as toastmaster. All managers of B. & K. theatres and those of the Great States Circuit, will be among those in attendance.

Speakers will include: A. H. Blank, Stanton Griffis, Y. Frank Freeman, Adolph Zukor, Leo Spitz, Neil F. Agnew, Hugo Sonnenschein, John Balaban and E. V. Richards.

An elaborate entertainment program is planned for the dinner. Lou Holtz, comedian, who is currently appearing at the B. & K. State Lake Theatre, will be master of ceremonies.

Attending from Paramount, in addition to the speakers, will be: Oscar Morgan, J. J. Unger, Robert Gillham, Herman Lorber, Monroe Goodman, Charles Reagan, C. J. Scollard, Alec

(*Continued on page 7*)

To Rename Walker Postmaster General

WASHINGTON, Jan. 21.—Frank C. Walker, Postmaster General of the United States, is the only member of the Cabinet whose appointment must be renewed for the third term administration of President Roosevelt. The law requires that the post run only with the term of the President, and applies only to the Postmaster General. The renomination is expected in a few days. Walker succeeded James A. Farley some months ago.

Dec. Tax Revenue $6,653,971; Year Total $43,483,373

WASHINGTON, Jan. 21.—Reversing a six-month upward trend, Federal admission tax collections in December dropped to $6,653,971 from $7,124,225 in November, but for the calendar year 1940 collections more than doubled those of the preceding 12 months, it was reported today by the Internal Revenue Bureau.

For the full year, five months of it under the reduced exemption, admission tax collections totaled $43,483,373 compared with $19,876,312 for 1939. Of the more than $23,000,000 increase, however, $21,595,000 was accumulated in the final half-year, for which collections amounted to $32,315,541 against $10,720,084 in 1939, it was reported.

Although failing to touch the peak established in November, December collections were more than three times the $1,974,535 reported for the corresponding period in 1939, bureau figures showed.

The drop in collections, normal for the final month of the year, was felt generally throughout the country but was most pronounced in the Third New York (Broadway) District, where receipts declined from $1,497,-

(*Continued on page 7*)

Associates Induct Officers at Lunch

Joseph J. Lee, 20th Century-Fox New York branch manager, and newly elected president of the Motion Picture Associates, was formally inducted into office with other new officers at a luncheon meeting at the Astor yesterday.

The following have been named as board members: Jack Ellis, David Levy, Adolph Haas, Jack Hattem and Nat Beier. Other officers are: James Frank, first vice-president; Matthew Cahan, second vice-president; Saul Trauner, treasurer; Moe Fraum, recording secretary; Louis Kutinsky, sergeant-at-arms; Ben Abner and

(*Continued on page 7*)

Flu Cuts Carolina Attendance by 50%

CHARLOTTE, N. C., Jan. 21.—Since the first of the year the flu epidemic that has been sweeping the Carolinas has cut picture theatre attendance about 50 per cent. Theatres in the Charlotte area have signs posted at the entrance that children under 16 will not be admitted.

Roy Smart, an official of North Carolina Theatres, Inc., said that if the public health demands it, theatres would not hesitate to close.

Estimate Para. Profit in Year At $7,300,000

Best Net in 10 Years; $2,757,944 in '39

Paramount will report a net profit of approximately $7,300,000 for 1940, according to Wall Street estimates. The company's report is expected to be made public about Feb. 14. It will be the company's best in the past ten years.

Barney Balaban

The estimated result for the year compares with profit of $2,757,944 for 1939. Neither figure includes Paramount's net interest as a stockholder in the undistributed earnings of nonconsolidated subsidiaries.

On the basis of the year's estimate, Paramount will report net profit of approximately $2,500,000 for the final 1940 quarter. Results for that period were materially increased by the success of the business drive conducted by the company's affiliated theatres during the normally dull theatre period from Thanksgiving to Christmas. Gross business for the period of the drive was increased over the corresponding 1939 period by more than $1,000,000, it is reported.

New Jersey Allied Reelects Officers

Lee Newbury, president, and all other officers of New Jersey Allied were reelected yesterday at a statewide meeting at the Stacey-Trent Hotel, Trenton. The others are: Murray Miller, vice-president of the North unit; Ralph Wilkins, vice-president of the South unit; Harry H. Lowenstein, secretary, and David Snaper, treasurer.

The following were appointed to the board of directors: Louis Gold, Frank Gravatt, Mrs. Helen Hildinger, Marge Rose, Jack Waxman, Morris Spewack, Herbert A. Hill, Sam Frank and Jacob Unger. Former presidents of the organization Sidney Samuelson, Irving Dollinger and George Gold were named ex-officio members of the board. Samuelson spoke.

Coast Flashes

Hollywood, Jan. 21.

William F. Rodgers, M-G-M general sales manager, left here tonight by train after two weeks of conferences and viewing new product at the studio. He will stop off in Chicago en route East.

•

Paramount and Producer-Director Henry Hathaway amicably settled his studio contract.

•

Harold V. Smith, business agent of the sound technicians union, demanded of major producers today retention of the 54-hour week set in the current producer contract, but sought time and a half overtime for all over 40 hours weekly.

•

M. A. Goldrick, assistant foreign manager of Erpi, arrived from the Orient today. With him was R. E. Warm, Western Electric assistant managing director in Australia.

•

Walter Wanger has bought the magazine serial, "Sundown," by Barre Lyndon.

•

RKO today signed Edgar Bergen, with Charlie McCarthy, and Fibber McGee and Molly to co-star in a David Hempstead production.

•

Walt Disney announced today that he will not enter the competition this year, because of new emphasis being laid on "Fantasia" and other features.

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, is expected back at the home office from studio conferences about Feb. 1.

•

JOSEPH C. SHEA, publicist associated in the past with various film companies, has been appointed publicity director of the Greek War Relief Association.

•

WILLIAM K. SAXTON, manager of the Loew theatres in Baltimre, is in Sinai Hospital there, recuperating after a stomach operation.

•

LESLIE R. LUKE of the Roosevelt Theatre, Scranton, Pa., is engaged to MAY VIRGINIA HERRING.

•

ROSE FOX of the 20th Century-Fox branch in Philadelphia and LEW NEMEROFF are to be married Feb. 23.

•

MAURICE WHITE, head of Libson & White Theatres, Cincinnati, has returned to his office after a visit here.

•

I. J. HOFFMAN and B. E. HOFFMAN, Warner Theatre executives in New Haven, are out with the grippe. Other grippe victims in the city are LOU PHILIPS, manager of the Modern Theatre Equipment Corp., and NORMAN RANDALL, assistant at the Paramount.

•

HARRY THOMAS, MAX SIEGEL, ROBERT BENJAMIN, ARTHUR KRIM, AL LEWIS and CHESTER ERSKINE lunching at Sardi's yesterday.

J. CHEEVER COWDIN, chairman of the board of Universal, is expected from the Coast by plane next Tuesday.

•

WILLIAM GOLDMAN, ED CHURCHILL, SI SEADLER, CHARLES CASANAVE, MAURICE KANN, DAVID ROSE, SAM SHAIN, TOM CONNORS, MAX A. COHEN, RUSSELL HOLMAN, ARTHUR HOPKINS, WILLIAM ORR, ARTHUR MAYER, RALPH AUSTRIAN, MARCUS HEIMAN and GEORGE WELTNER having lunch yesterday at Nick's Hunting Room in the Astor.

•

WILLIAM ROWLAND, JOHNNY WALKER, WALTER FUTTER, SAM CITRON, ARTHUR LEE, JEFFREY BERNERD and SAM TULPAN lunching yesterday at the Tavern.

•

IRVING SHAPIRO, ARCHE MAYER, RUBE JACKTER and MILTON BERLE having lunch at Lindy's (next to the Rivoli) yesterday.

•

DAVID BERNSTEIN, B. S. MOSS, HAL HORNE and ARTHUR GOTTLIEB at Lindy's (51st St.) yesterday for lunch.

•

ROBERT GROSSMAN, manager of the Avon, Providence, is vacationing with his family in Rochester, N. Y.

•

HERB GILLIS, Philadelphia booker for 20th Century-Fox, has left for a Maine vacation.

•

JOSEPH LEON, Universal salesman in Philadelphia, has left for Florida.

•

MORRIS JOSEPH, manager of Universal's New Haven branch, has left for a Florida vacation.

•

JOHN D. HERTZ, JR., left for Chicago yesterday. He will go from there to California. He is accompanied by DON GIBBS and RUDY MONTEGELAIS.

Commission Sears Major in U. S. Army

Richard (Dick) Sears, for many years Pathe News cameraman in Boston, and more recently on assignments for Universal News, has been commissioned a major in the United States Army and assigned to the press relations division at Washington, as a liaison officer on motion picture matters. He is at the Hotel Broadmoor in the Capital.

'Smith' Previewed

CHICAGO, Jan. 21.—"Mr. and Mrs. Smith," RKO film, was previewed at the Palace Theatre here last night, following a cocktail party and dinner. Tom Gorman, RKO Theatres division chief; Walter Branson, RKO district manager; Terry Turner, field exploitation head; Jack Kirsch, president of Allied of Illinois, and Midwest critics and exhibitors attended.

Newsreel Parade

THE inauguration for a third term of President Roosevelt is the outstanding event pictured in the midweek issues of all the newsreels. Paramount devotes the entire reel to the ceremony. One other event widely covered is the launching of a new battleship in England. The contents of the reels:

MOVIETONE NEWS, No. 39—Inauguration of President Roosevelt. Bombing of Manchester, England. Italian prisoners in Greek camps. Queen Elizabeth christens new English battleship. Marines reviewed in San Diego. Sailors train at Ford school. Troops leave for Newfoundland. Wields baton on ice skates. Ski championships in Illinois.

NEWS OF THE DAY, No. 237—President Roosevelt inaugurated. English battleship launched with King and Queen in attendance. Refugee children talk to parents in England by radio. Burlesque wrestling bout in Boston.

PARAMOUNT NEWS, No. 42—Entire reel devoted to third term inauguration of President Roosevelt: early crowds; President enters church; official party leaves for Capitol; Wallace takes oath as Vice-President; President takes oath; inaugural parade.

RKO PATHE NEWS, No. 42—President Roosevelt inaugurated. AP Building in London is bombed. Girl born in California weighs 14 pounds. Diving bell takes tourists under water off Florida coast. Queen Elizabeth christens new English battleship.

UNIVERSAL NEWSREEL, No. 947.—Inauguration of President Roosevelt. Kennedy asks that U.S. keep out of war. Willkie prepares for trip to England. Marines reviewed by Mexican general in San Diego. Ski meet held in Illinois.

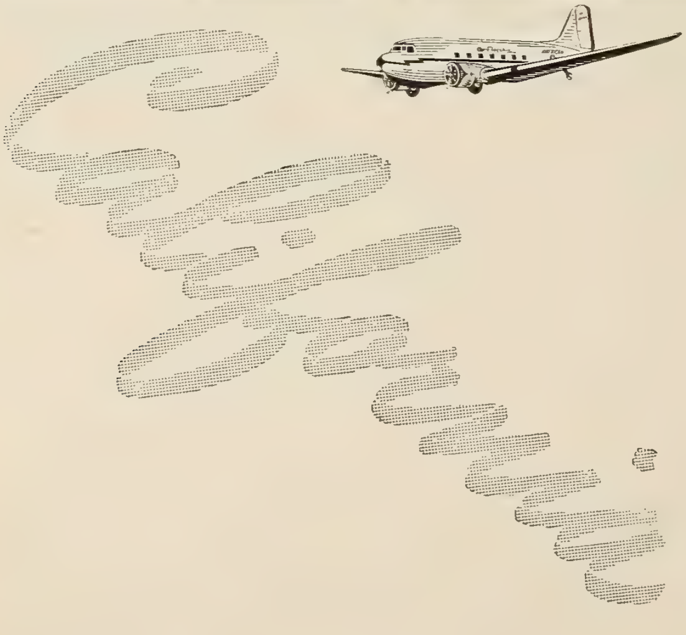
O'Sullivan Is Named P.R.C. Ad Manager

O. Henry Briggs, president of Producers Releasing Corp., has appointed Joseph O'Sullivan as director of advertising and publicity.

O'Sullivan joined the film industry as an associate of Terry Ramsaye in Pathe Films, after a period as dramatic and music critic in Louisville, and as legitimate theatre manager. He was director of a circuit in Mexico City, then returned to handle publicity and sales promotion for Pathe. He has been a special writer for *Motion Picture Herald* for some years.

ITOA Meets Today

Meeting of the New York I. T. O. A. is set for today at the Astor. Harry Brandt, president, will preside.



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★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, Park Avenue at 42nd St.

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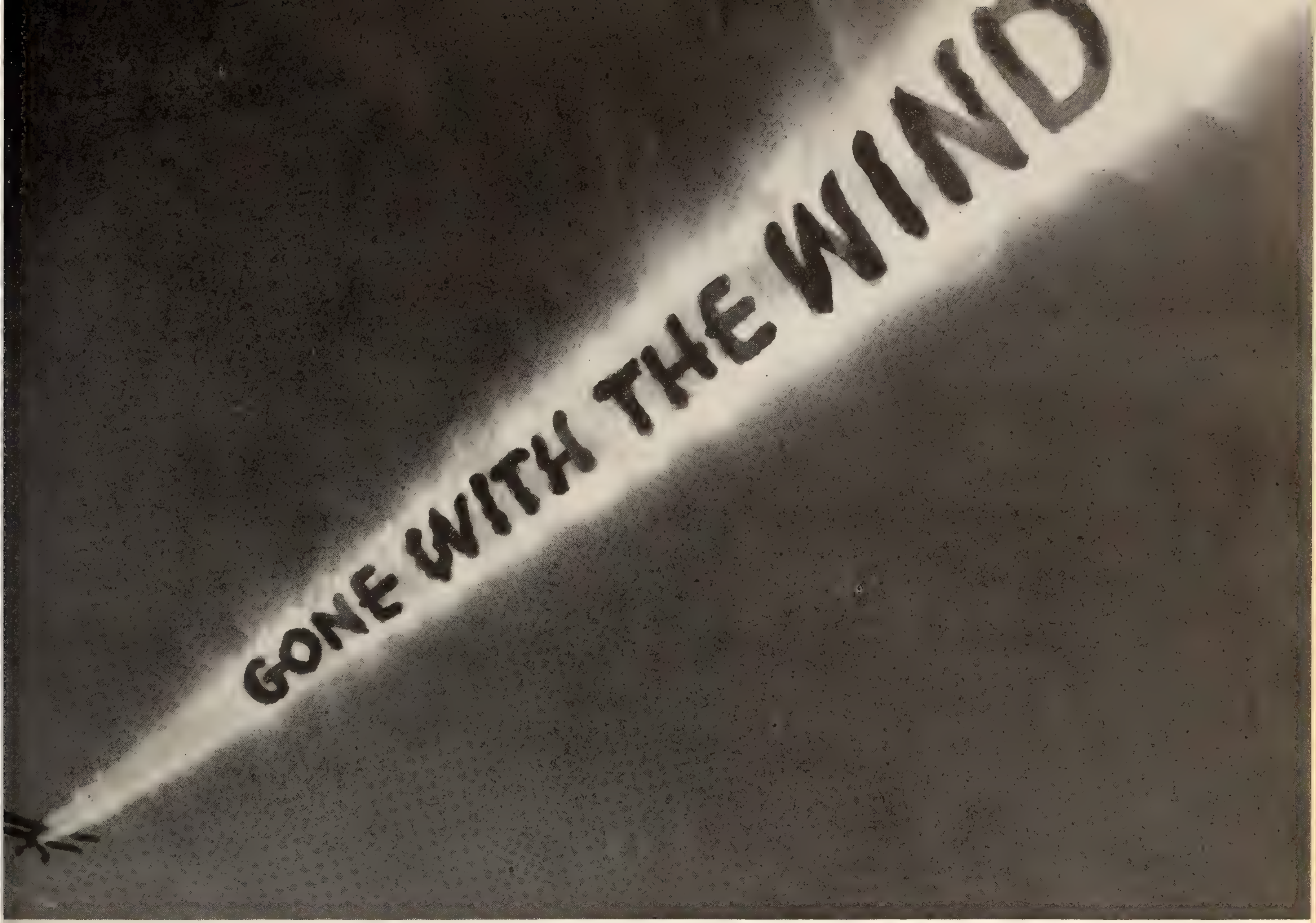


Spread the News Across America!

The results are in!

Amazing news from the first 13 engagements!

(Boston, 2 theatres—Buffalo, Cleveland, Bridgeport, New Haven, Pittsburgh, Washington, Worcester, Hartford, St. Louis, Tulsa, Oklahoma City)

They all played it previously!

And they're *now* doing 181% of normal biz!

With only 3 performances daily!

And HOLDING OVER in the entire 13 spots!

And in the first 10 small town situations!

Each one has played it before!

It's topping the big towns, doing 220% of normal!

That's positively sensational!

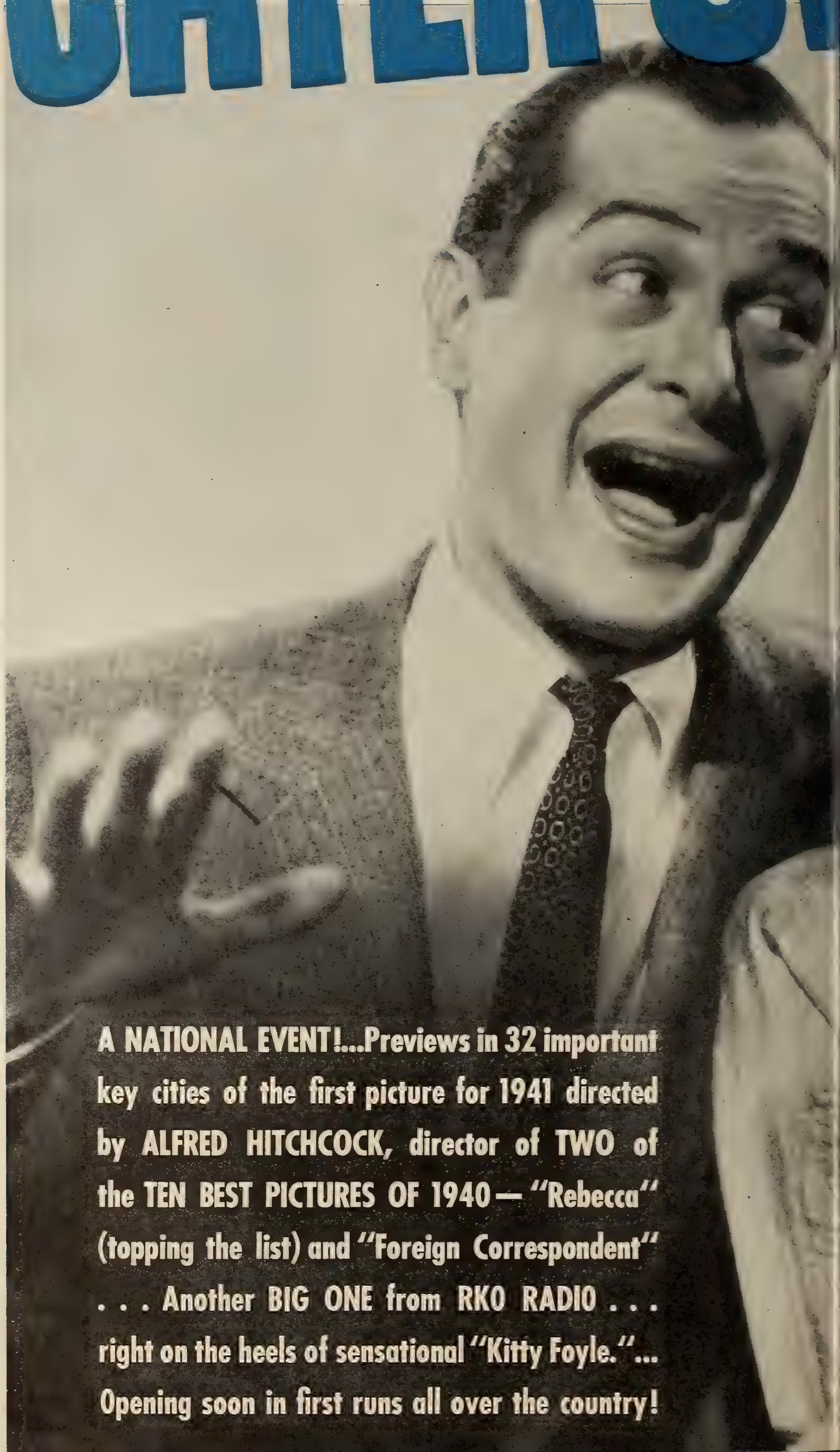
As predicted in nationwide surveys!

Thousands wait for it! Thousands will see it again!

Put "Gone With The Wind" on your marquee!

It's magic!

LAUGHTER OV



A NATIONAL EVENT!...Previews in 32 important key cities of the first picture for 1941 directed by ALFRED HITCHCOCK, director of TWO of the TEN BEST PICTURES OF 1940— "Rebecca" (topping the list) and "Foreign Correspondent" . . . Another BIG ONE from RKO RADIO . . . right on the heels of sensational "Kitty Foyle."... Opening soon in first runs all over the country!

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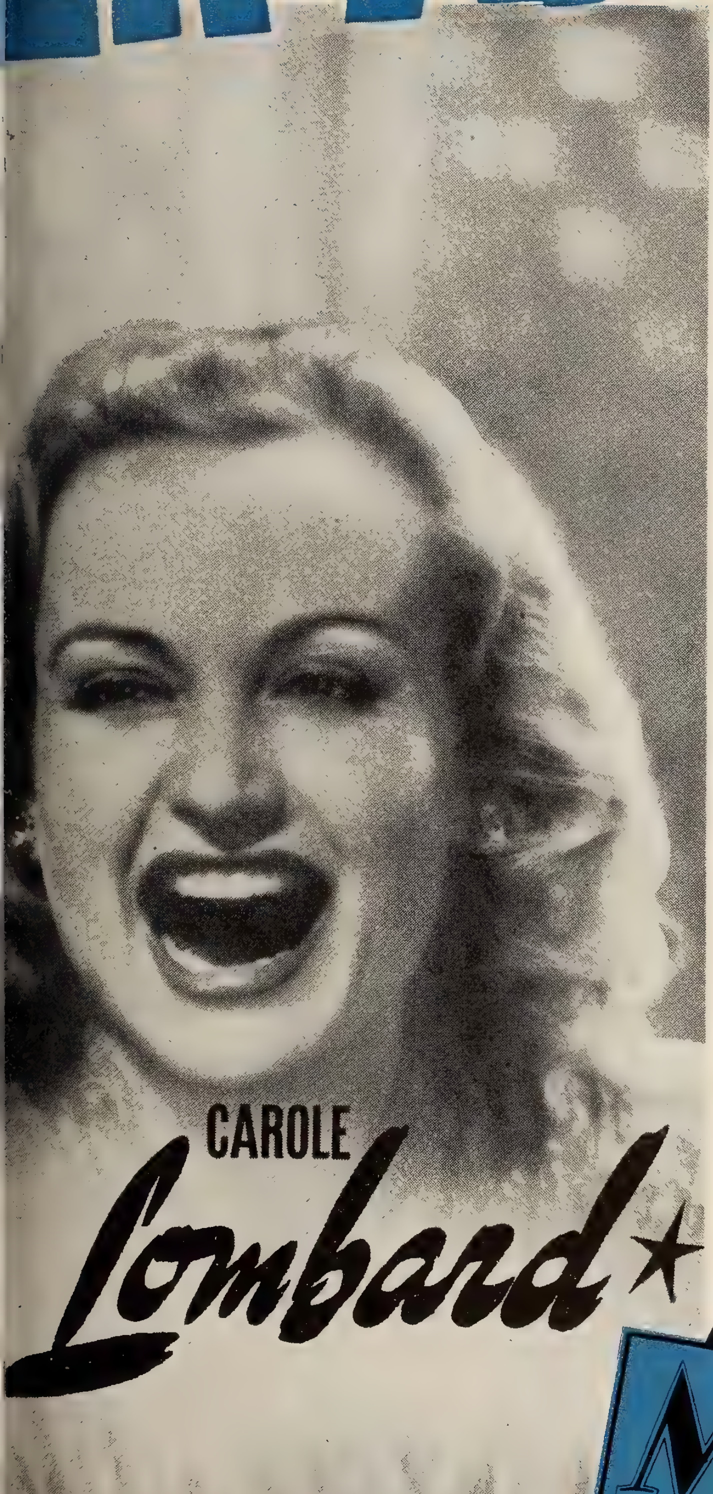

...AS PRESS, TRADE AND PUBLIC GET ADVANCE LOOK AT YEAR'S BIG COMEDY HIT IN SPECTACULAR 32-CITY "HOLLYWOOD" PREVIEW!

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Lombard ★ ROBERT
Montgomery

Mr. & Mrs. Smith

WITH
GENE RAYMOND

JACK CARSON • PHILIP MERIVALE • LUCILE WATSON

Directed by ALFRED HITCHCOCK

STORY AND SCREEN PLAY

Studios Now Shooting on 36 New Films

HOLLYWOOD, Jan. 21. — Thirty-six pictures were before the cameras this week, as 10 started and 12 finished. Sixteen are being prepared, and 63 are being edited.

The tally by studios:

Columbia

Finished: "Penny Serenade," "The Lone Wolf Takes a Chance."

In Work: "They Dare Not Love," untitled Ellery Queen.

Globe

In Work: "Pot O' Gold."

Gloria

Started: "New Wine."

M-G-M

Finished: "Rage in Heaven," "Andy Hardy's Private Secretary," "Free and Easy."

In Work: "Billy the Kid," "The Crime of Mary Andrews," "Roosty."

Monogram

In Work: "Air Devils."

Started: "Ridin' the Cherokee Trail."

Producers Releasing

Started: "The Lone Rider Crosses the Rio."

Paramount

Finished: "Las Vegas Nights."

In Work: "One Night in Lisbon," "Caught in the Draft."

Started: "Men of Action," "Kiss the Boys Goodbye."

RKO

Finished: "Show Business."

In Work: "They Met in Argentina," "The Devil and Miss Jones."

Started: "Sunny."

Republic

Finished: "Two Gun Sheriff," "Prairie Pioneers."

In Work: "Citadel of Crime."

Started: "Sis Hopkins."

20th Century-Fox

Finished: "Ride On, Vaquero," "Dead Men Tell."

In Work: "The Outlaw," "A Very Young Lady," "Blood and Sand."

Universal

In Work: "Nice Girl," "The Flame of New Orleans," "The Lady from Cheyenne," "The Man Who Lost Himself," "Model Wife."

Started: "Mr. Dynamite."

Warners

Finished: "The Sea Wolf."

In Work: "Winged Victory," "Miss Wheelwright Discovers America," "Thirty Days Hath September," "The Bride Came C.O.D.," "Singapore Woman," "Strange Alibi."

Started: "No Hard Feelings," "Affectionately Yours."

Contracts Extended

HOLLYWOOD, Jan. 21. — Twentieth Century-Fox has extended the contracts of Jane Withers, John Payne, Charlotte Greenwood, John Carradine, John Sutton and Robert Conway, all players.

Add 'Higgins' Films

HOLLYWOOD, Jan. 21. — Republic plans two more "Higgins Family" films to be made this season, featuring Roscoe Karns and Ruth Donnelly. Only two had been planned.

Hollywood Reviews

"Honeymoon for Three"

(Warners)

Hollywood, Jan. 21.

"HONEYMOON for Three" is the predominantly comic story of a successful author at whom women fling themselves and who encounters a college sweetheart who imagines herself the heroine of every book he has written. His romantic didoes, which threaten to engulf him in a divorce suit, an alienation of affections action and other troubles, are brought to an abrupt and happy end by his secretary, who is in love with him.

George Brent as the author and Ann Sheridan as the secretary are the principal players, with Charlie Ruggles, as the injured husband; Osa Massen, as the erstwhile sweetheart who still retains her ideas; Jane Wyman, William T. Orr, Lee Patrick, Walter Catlett, Herbert Anderson and Johnny Downs completing the cast.

Earl Baldwin wrote the screenplay with Julius J. and Philip G. Epstein contributing additional dialogue. The source material is the play by Alan Scott and George Haight. Lloyd Bacon directed, under associate producer Henry Blanke.

The story, fast moving and highly amusing in spots, falls into the category of "sophisticated" entertainment, some of the lines and situations being "off the beam."

Running time, 76 minutes. "A."* VANCE KING

"A" denotes adult classification.

"Life With Henry"

(Paramount)

Hollywood, Jan. 21.

RECREATING with remarkable fidelity the character of the Aldrich Family radio program from which it derives, this second in the Paramount series of family comedy-dramas featuring Jackie Cooper as the Henry Aldrich of the airshow improves upon the impressive beginning made in the first picture. Strength of story, by Clifford Goldsmith and Don Hartman, and excellence of direction by Jay Theodore Reed, who also produced the picture, account for solidity of entertainment, making use of seriousness as a background for humour.

Supporting Cooper in the picture are Fred Niblo as the father, Hedda Hopper as the mother, Eddie Bracken as his chum and Leila Ernst as his sweetheart. Others in the large cast, all admirably assigned, are Kay Stewart, Moroni Olsen, Rod Cameron, Pierre Watkin, Lucien Littlefield, Frank W. Thomas, Etta McDaniel, Hanley Stafford and many more.

The Aldrich youth's ambition in this exercise of the character made popular via radio is to acquire $100 by his own efforts, with which he is to qualify for a trip to Alaska as guest of a philanthropist. All sorts of difficulties and complications turn up, including a session in a film house on game night, but it all comes out right in the end.

Running time, 80 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

"Pride of the Bowery"

(Monogram-Banner)

Hollywood, Jan. 21.

"PRIDE of the Bowery," fourth in the series of pictures featuring the "East Side Kids" Sam Katzman's Banner Pictures Corp. is making for Monogram release, is by far the most pretentious and attention-holding of the lot, its action laid almost entirely in a C.C.C. camp.

Actual scenes of the layout and members of the conservation corps' Thumb Butte camp, outside of Prescott, Ariz., are shown, the picture detailing camp life as necessary for the story. The plot deals with four New York slum boys, three of whom inveigle the other, an amateur boxer, into signing C.C.C. application papers in order to get a "good training camp" to further his fighting career.

Leo Gorcey is the boxer, while his aides are played by Bobby Jordan, Donald Haines, and David Gorcey. Others in the cast are Sunshine Sammy, Eugene Francis, Carlton Young, Mary Ainsley, Bobby Stone, Nick Stuart, Kenneth Harlan, Kenneth Howell, Lloyd Ingraham and Steve Clensos.

George Plympton wrote the screenplay and Joseph Lewis directed, their efforts combining to make a highly entertaining film. Peter Mayer was Katzman's associate producer.

Running time, 60 minutes. "G."* VANCE KING

"G" denotes general classification.

Short Subject Reviews

"Meet the Fleet"

(Warners)

Here is an interesting insight on the U. S. Navy, produced in cooperation with the Navy. Robert Armstrong, William T. Orr, George Reeves, Mary Cheffey and Herbert Anderson are in the cast. The film follows activities at the San Diego Naval Base. Orr, Reeves and Anderson are seen as recruits taking orders from Armstrong. The subject has been well photographed in color. Running time, 20 mins.

"History Repeats Itself"

(Warners)

The three popular Radio Rogues imitate a number of screen stars in entertaining fashion. The trio appears in satires on historical events for the benefit of a crooked inventor whose activities are being investigated by the district attorney. An amusing skit on the landing of the Pilgrims at Plymouth Rock should draw laughs. The characters in each of the events reenacted include Bing Crosby, Jack Benny, Ben Bernie and many others. Running time, 10 mins.

"The Sacred Ganges"

(Paramount)

An unusual travelogue, this issue of "Fascinating Journeys" portrays life on the banks of India's holy river, the Ganges. Shown are the famed holy men, who subject their bodies to various forms of torture to obtain Divine favor. Among those seen are some who sit for long periods of time without moving, others who stare fixedly into the sun. Done in Technicolor, this reel should attract considerable interest. Running time, 10 mins.

"Breezy Little Bears"

(Paramount)

Those three little bears, Horace, Herbert and Herman, who walked off with an Academy Award in 1939 for the best one-reel short, return to the screen with another hilarious episode in their adventures. They wander off casually to inspect a farm and their experiences with the cows and the dairy implements are funny enough to bring guffaws from any audience. Frank Crumit heightens the comedy with his narration. Deserves screen time. Running time, 10 mins.

"Problem Pappy"

(Fleischer-Paramount)

Popeye runs into difficulties again taking care of his Pappy, who decides to take up flagpole-sitting as a career. Popeye makes several amusing but unsuccessful atempts to get Pappy off a flagpole atop a huge skyscraper. When all efforts have failed, lightning starts striking at the pole. Aided by the customary spinach, Popeye defies the lightning and rescues his father. Lots of laughs. Running time, 7 mins.

"Timid Toreador"

(Warners)

Produced by Leon Schlesinger, this cartoon has to do with Porky Pig in a bull fight. After the sudden disappearance of the toreador, Porky and the bull engage in battle. Only fair. Running time, 7 mins.

Honor Balaban at Dinner Tomorrow; Drive Winners Set

(Continued from page 1)

Moss, Arthur Dunne, G. B. J. Frawley and Edwin L. Weisl.

Among the other guests will be: N. L. Nathanson, Ralph G. Branton, Harry L. Nace, C. R. Banford, George C. Hoover, John J. Friedl, M. A. Lightman, Sam Pinanski, Martin Mullen, John Nolan, Julius M. Gordon, R. J. O'Donnell, Karl Hoblitzelle, Harry David and Tracy Barham.

Paramount Drive Winners at Dinner

CHICAGO, Jan. 21.—Winners of the Paramount theatres testimonial business drive for Barney Balaban, Paramount president, which was held during the Thanksgiving to Christmas period will be guests at the testimonial banquet to Balaban at the Drake Hotel here Thursday night.

A total of 55 managers were adjudged winners in the drive and will receive awards at the dinner.

The winners in the various Paramount-affiliated circuits are: Comerford-Publix Theatres, S. A. Ammerman, Gregory Beck, Joseph Farrell and Carl Herman; United Detroit Theatres, Clark Field, Grant Hawkins and Frank Upton; Intermountain Theatres, Inc., Jack Braunagel and Chester Price; M & P Theatres Corp., Harry Botwick, James Dempsey, Jack Goodwin, Albert Hamilton, William Hartnett, George Moffitt and Morris Simms; Tri-States Theatre Corp., Harold D. Barnes, Edward Dunn, William Miskell and Lorenz Wegener.

Also: Balaban & Katz Corp., A. H. Bachman, S. R. Claggett, Kenneth Edgerly, William B. Holden, Walter Lyons and Harry Odendhal; Dominion Theatres, Inc., Willis W. Grist, Jr., and Harl A. Wolever; Great States Theatres, Frank Staley and Mortimer E. Berman; Malco Theatres, Remmel Young, J. R. McEachron and Henry Brownlee; Jefferson Amusement Co., S. E. Tanner, W. L. Gelling and Jack Dahmer; Interstate Circuit, E. J. Sullivan, Jack King, John T. Floore and A. D. Deason; Minnesota Amusement Co., Everett Olsen, Ralph E. Phillips, Woodrow Praught and Charles Zinn.

Also: Western Massachusetts Theatres, George Laby, Louis Marcks, David F. Perkins, Edward A. Smith and Charles R. Smith; Publix-Bamford Theatres, Frank Labar and William Keith; Publix-Great States, Walter F. Grometer; Publix-Indiana, Guy W. Martin; Publix-Rickards-Nace, A. G. Pickett.

All Paramount office and district sales executives, who opened a three-day meeting at the Edgewater Beach Hotel here today, will attend the testimonial dinner as well. The sales officials attended screenings of new product today and will open their business sessions tomorrow.

RUDY VALLEE INVITES MOTION PICTURE EXECUTIVES AND EXHIBITORS TO PREVIEW AT THE ASTOR.

Motion-picture Executives and Exhibitors are Cordially Invited to a Preview of Vis-O-Graph—the New Coin-operated Talking-Motion Picture Machine—At the Hotel Astor, Suite 168-170, Wednesday from 11 A.M. on and Thursday by Appointment. W. H. (Bill) Kemble, Executive Vice-President, Vis-O-Graph Corp. of America.

Hollywood Review

"Arkansas Judge"

(Republic)

Hollywood, Jan. 21.

THIS is a plain, straighforward tale of a small Arkansas community whose complacent life is shattered by the theft of $50 from a widow. The town's servant woman is falsely accused, neighbor is set upon neighbor, gossip runs rife, a slander suit is filed against the town's principal character by the banker, who wins, mob violence is committed, only to have the real thief confess the crime.

The Weaver Brothers and Elviry, Roy Rogers, and Spring Byington enact the principal roles, Rogers playing a straight role, that of a young lawyer. Supporting them are Pauline Moore, Frank M. Thomas, Veda Ann Borg, Eily Malyon, Loretta Weaver, Minerva Urecal, Beatrice Maude, Harrison Greene, Barry Macollum, George Rosener, Monte Blue, Frank Darien, Russell Hicks and Edwin Stanley.

Based on the novel, "False Witness" by Irving Stone, the screenplay was written by Dorrell and Stuart McGowan, and the adaptation by Ian Hunter, Ring Lardner, Jr., and Gertrude Purcell. Frank McDonald, in directing this Armand Schaefer production, kept the story moving swiftly, interspering the musical numbers by Rogers, the Weaver Brothers and Elviry in such a manner as not to impede the progress of the yarn. The picture is homespun drama at its best.

Running time, 72 minutes. "G."* VANCE KING

"G" denotes general classification.

Decree May Hasten End of Ascap Fight

(Continued from page 1)

the Department in this regard, except to admit that preliminary negotiations are under way and that nothing further will transpire until the proposals now being considered by BMI have been presented to the Department for official consideration.

The present proposals which BMI is considering contain some features which are not acceptable to the Department of Justice. Further negotiations are felt to be necessary, in the opinion of officials, in order to consummate a satisfactory agreement.

The BMI board of directors met here yesterday to consider consent decree proposals but no disclosure was made of the action taken. It is understood that the Department of Justice objected to the premature publicity given to the negotiations with Ascap several weeks ago and urged broadcasters not to reveal the nature of the current discussions.

Associates Induct Officers at Lunch

(Continued from page 1)

Seymour R. Schussel, trustees, and Charles Penser, financial secretary.

Highlighting yesterday's meeting was Jack Bowen's presentation to the Associates' charity fund of a check for $600, the proceeds of the testimonial luncheon given recently to Bowen and E. K. O'Shea.

Lee discussed plans for the acquisition of a club room. Other speakers were J. J. Thompson, guest of honor; Harry Brandt, Sam Rinzler, Harry Buxbaum, Ellis, Frank and Bowen. Arthur Greenblatt acted as master of ceremonies.

Set 'Bishop' Preview

A special preview of "Cheers for Miss Bishop," Richard Rowland—United Artists film, will be held tomorrow evening in the preview room of the Radio City Music Hall, followed by a reception for Rowland.

'Wind' Opening at Capitol Tomorrow

"Gone With the Wind" will open at the Capitol tomorrow for its local general release engagement, instead of next Thursday, as originally scheduled. It will replace "Flight Command."

It will be on a continuous run, popular price basis, running three hours and 45 minutes. The price scale will be 40 cents to 1 P.M., 50 cents to 6 P.M. and 75 cents thereafter, on weekdays, and 40 cents to 1 P.M., 55 cents 6 P.M. and 85 cents thereafter, on Saturday, Sunday and holidays. Regular prices at the house are the same except that the morning price usually is 35 cents. Prices for the original run of the film at the Capitol ranged from 75 cents to $1.10.

Probe Gassing of Toronto Children

TORONTO, Jan. 21.—The Ontario Government has ordered the Doric Theatre, neighborhood house here operated by Sam Lester, closed pending an official investigation into an accident last Saturday, when 35 children were overcome by coal gas fumes from the furnace.

Inspectors are trying to ascertain whether a furnace defect or employes' negligence was responsible. Attorney General Gordon Conant plans criminal action if negligence or a violation of theatre regulations are found to have been at fault.

George Elliott Dies

HAVERHILL, MASS., Jan. 21.—George C. Elliott, film pioneer and once an associate here of Louis B. Mayer, died at Benson Hospital here. With Mayer and the late Charles H. Poor he built the Colonial Theatre here in 1911.

New Guild Play Feb. 5

The Theatre Guild's production of Philip Barry's play, "Liberty Jones," will open at the Shubert on Feb. 5. John Beal, Nancy Coleman and Martha Hodge are in the cast.

Fire Watchers Now At British Theatres

London, Jan. 21. — All British theatres are affected by a new Government fire-watching order. As business houses, they must provide watchers working full time. Masculine staff members are liable at the option of local authorities to conscription for 48 hours of duty monthly watching buildings and where necessary, fighting fires.

Dec. Tax Revenue $6,653,971; Year Total $43,483,373

(Continued from page 1)

707 in November to $1,193,461, the bureau announced.

In that district, box-office collections dropped from $1,419,524 to $1,109,505, but receipts from tickets sold by brokers increased from $10,154 to $12,610; tickets sold by proprietors in excess of established prices, from $1 to $154, and admissions to roof gardens and cabarets from $67,965 to $71,170. Collections from permanent use or lease of boxes and seats dropped from $63 to $25.

Collections in 1940, by months, as compared with 1939, were as follows:

Month	1940	1939
January	$1,486,534	$1,564,134
February	1,852,763	1,503,127
March	2,390,931	1,606,996
April	2,000,902	1,384,721
May	1,791,095	1,605,987
June	1,645,603	1,491,260
July	1,650,162	1,534,249
August	4,407,097	1,513,468
September	5,851,655	1,852,256
October	6,628,429	1,727,931
November	7,124,225	2,117,644
December	6,653,971	1,974,534
Total	**$43,483,373**	**$19,876,312**

Greenthal to Present Van Schmus at Ampa

Monroe Greenthal, advertising and publicity director of United Artists, will introduce W. G. Van Schmus, managing director of the Music Hall, guest of honor at the Ampa luncheon at the Hotel Edison tomorrow.

John Gurney of the Metropolitan Opera, will sing, and Erno Rapee of the Music Hall will participate. Also present will be Gus Eyssell, assistant to Van Schmus; Leon Leonidoff, Fred Cruise, Russell Markert, Fred Lynch, Russell Downing, Florence and Hattie Rogge, Bruno Maine, Eugene Braun, Willa Van, Robert Henderson and Maurice Baron, all of the Music Hall staff.

To Show Coin Device

Demonstration of Vis-o-Graph, a coin-operated motion picture device, is being held today and tomorrow at the Astor Hotel under the supervision of W. H. Kemble. Rudy Vallee is president of the company.

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NBC Is Enlarging Studios in Chicago

NBC is enlarging its Chicago facilities by building three new studios and eight new offices in the Merchandise Mart building. Recording facilities will be doubled. Each studio will be 20 by 30 feet and the offices will house the radio recording division, program traffic, communications, the night manager and the musical director.

Expand Facilities At Morris Agency

Increasing its facilities for handling booking of bands, the William Morris agency is making personnel shifts in its New York, Chicago and Hollywood offices. Willard Alexander will assume supervision of band operations here, aided by Jack Flynn, transferred from Chicago, and Dick Dorso, from Hollywood. Harry Squires will continue as head of one-night bookings.

Ed Fishman will go to Hollywood to assume charge there and Cress Courtney will be transferred from booking one-night stands to the location sales staff with William E. Snyder and Tom Smyth. Ira L. Steiner will join the agency as head of the new press department. Hansen-Williams will continue to handle institutional advertising and general promotion.

Set Academy Sound Award Nominations

HOLLYWOOD, Jan. 21.—Nominations for the Academy sound recording award have been disclosed here by John Aalberg, chairman of that committee.

The films nominated, from which one will be selected, are: "Arizona," "Behind the News," "Captain Caution," "Grapes of Wrath," "Howards of Virginia," "Kitty Foyle," "North West Mounted Police," "Our Town," "Sea Hawk," "Spring Parade," "Strike Up the Band."

WIBG Names Voices

Paul F. Harron, president of WIBG, Philadelphia, yesterday named Voices, Inc., as consultants for promotion, programming, publicity and special events for the station. Voices, which includes Fred Coll, George McCoy and Lois Lorraine, acts in a similar capacity for WHOM, Jersey City, and WSNJ, Bridgeton, N. J.

Arthur Lee Returns

Arthur A. Lee, head of Artlee Pictures, Inc., returned to New York yesterday from a one-month business visit on the Coast. Lee returned by way of Canada, visiting Vancouver, Calgary and Winnipeg where, he reported, film and theatre business was at its best level in recent years.

Must Join AGVA

CHICAGO, Jan. 21.—It is reported here that Merrial Abbot has been notified by the S.A.G. that unless she signs with the local A.G.V.A. unit, her chorus will not be permitted to perform either in films or on the stage.

Off the Antenna

AIR PROGRAMS, INC., announces that it has made an exclusive agreement with Associated Press for the production of a series of radio programs based on the history of the AP. It will be called, "Men Against Time!" The script will be based on Oliver Gramling's book "AP—The Story of News."

• • •

Purely Personal: *Al Simon, WHN publicity director, and Jo Ranson, radio editor of the* Brooklyn Eagle, *will give a course of* 15 *lectures at Long Island University during the Spring semester on Radio Broadcasting. . . . Raymond Paige, the conductor, left for Florida instead of California yesterday, in order to maintain closer contact with his office here. . . . Edward Roecker, of "Pipe Smoking Time" over CBS, is scheduled to make concert appearances in Philadelphia, Reading and Harrisburg this month. . . . Jean Herbert, Don George and Teddy Hall have written the title song for the next Gene Autry film, "Ridin' On a Rainbow." Famous Music will publish the tune. . . . Betty Garde has been named chairman of the entertainment committee for the AFRA reception to be held at the Waldorf-Astoria May 9. . . . Helen Cleaver is now with the WOR publicity office.*

• • •

Seeking increased utilization of "The School of the Air of the Americas," CBS has invited leading educators and Government officials to a three-day conference begining Feb. 27. The first day's session will take place in Atlantic City and the last two in New York.

Grierson May Hold Canadian Film Post

TORONTO, Jan. 21. — John Grierson of London has issued a statement intimating that he is reconsidering his decision to resign as Dominion Film Commissioner of the National Film Board, effective the end of January. Previously he had tendered his resignation on the ground that the work of the board should be supervised by a Canadian.

A published report with respect to the contemplated change contained the following paragraph: "There would seem to be some difficulty in replacing Mr. Grierson at this time as it is hard to duplicate his experience in the production of documentary films in this country."

Appoints Committees Of Kansas City Club

KANSAS CITY, Jan. 21.—Chief Barker Jerry Zigmond has announced the personnel of Variety Club committees for 1941. Committees and their chairmen are:

House, Reuben Melcher; ways and means, H. J. Griffith; membership, O. K. Mason; entertainment, Leland Allen; kings for a day, Robert F. Withers; publicity, William Lansburg; bowling and bowling tournament, Frank Hensler; welfare, Arthur Cole; "Days of '49," C. E. Gregory; charity ball, Earl Jameson; special charities, Jay Means; special events, Finton Jones, and golf, T. R. Thompson.

Legislators to See 'Liberty' on Jan. 28

ALBANY, Jan. 21.—A screening of "Land of Liberty" will be held in the Education Building here after the legislative session on Jan. 28 for senators and assemblymen. Arrangements were made with legislative leaders by John G. Walsh, local M-G-M publicity representative.

Mutual Board Meets

Mutual will hold its board of directors meeting in Chicago tomorrow and Friday. Fred Weber, general manager, left here yesterday to attend. Principal business will be consideration of suggestions made at the recent program managers' meeting.

Contract Action in Phila. Is Delayed

PHILADELPHIA, Jan. 21.—The breach of contract suit of the Dixie Theatre against Universal, scheduled to be tried in the local Court of Common Pleas on the January calendar, has been postponed and placed on the March-April calendar due to the illness of D. B. Kresch, counsel for Universal.

The suit, filed last February, charges losses were sustained when Universal failed to deliver "All Quiet On the Western Front" on Christmas, 1939, as contracted.

B'nai B'rith Installs New Lodge Officers

Arthur Israel, Jr., president, and other officers of the Cinema Lodge of B'nai B'rith were installed last night at an open meeting at the Hotel Edison.

Dr. Abram L. Sachar of the Univerity of Illinois faculty was the principal speaker. Dr. Milton Steinberg, head of the Park Avenue Synagogue, and Harry J. Greenblatt, president of District Grand Lodge No. 1, also spoke.

Dismiss Collins Suit

Federal Judge John C. Knox has dismissed the $1,000,000 plagiarism suit of Dolores Lacy Collins, administratrix of James H. Collins, against M-G-M Pictures Corp., Loew's Inc., and Culvert Export Co. for failure to prosecute. The suit claimed the film "Test Pilot" was based on Collins' book of the same title.

Sue Warners on Film

Warners were named defendants yesterday in a $75,000 damage suit filed in N. Y. Supreme Court by Alvin A. Harnes and Howard A. Gray. The plaintiffs claim the defendants adapted an idea submitted to them for the production of the film "Dr. Erlich's Magic Bullet" without compensating the plaintiffs.

Baker S.P.G. Examiner

Daniel Baker will act as trial examiner tomorrow at the N.L.R.B. hearings on the petition of Screen Publicists Guild for designation as collective bargaining agency with the eight major companies.

'Neighbor' Is Seattle's Best With $8,600

SEATTLE, Jan. 21.—"Love Thy Neighbor" took a strong $8,600 at the Paramount. "Son of Monte Cristo" at the Liberty drew $7,100. The weather was mild but rainy.

Estimated takings for the week ending Jan. 17:

"Comrade X" (M-G-M)
"Dr. Kildare's Strange Case" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days. 4th week. Gross: $3,400. (Average, $4,000)

"No, No, Nanette" (RKO)
"Romance of the Rio Grande" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $5,800. (Average, $7,000)

"The Son of Monte Cristo" (U. A.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $7,100. (Average, $5,000)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $3,800. (Average, $4,000)

"Sante Fe Trail" (W.B.)
"Meet the Wildcat" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. 2nd week. Gross: $4,900. (Average, $6,000)

"San Francisco Docks" (Univ.)
"Barnyard Follies" (Rep.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $4,900. (Average, $5,000)

"Love Thy Neighbor" (Para.)
"Jennie" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $8,600. (Average, $6,000)

Ford to Attend UA Premiere at Miami

HOLLYWOOD, Jan. 21.—Glenn Ford, member of the cast of "So Ends Our Night," Loew-Lewin picture for United Artists release, left here yesterday for the world premiere of the film at the Lincoln and Surf Theatres in Miami on Friday.

Those invited to attend the Miami premiere include: Sinclair Lewis, George Ade, Paul Draper, Jack Dempsey, Sophie Tucker, Paul Whiteman, Harry Richman, Desi Arnaz, Maxie Rosenbloom, Abe Lyman, Lucille Ball.

Screen 'Under Fire' At Capital Tomorrow

Warners will hold a screening of "Christmas Under Fire," British Ministry of Information short subject, tomorrow night at Constitution Hall, Washington, for members of Congress, and other Washington figures, sponsored by *Collier's*.

Quentin Reynolds, London correspondent of the magazine, who acted as commentator for the reel, will be guest of honor and chief speaker at the showing.

Hear RCA Plea Today

Application of RCA, Westinghouse and General Electric to dismiss part of the stockholders' complaint against it will be heard today in N. Y. Supreme Court. The defendants contend that most of the charges are either barred by the statute of limitations or fail to state a cause of action.

Dismiss Pickford Case

Suit of J. Raymond Cornell for $250,000 damages against Mary Pickford has been dismissed by Federal Judge John C. Knox for failure to prosecute. Complaint had charged libel in an article in the *Boston Sunday Advertiser* written by the defendant.

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VOL. 49. NO. 16 NEW YORK, U. S. A., THURSDAY, JANUARY 23, 1941 TEN CENTS

RKO Decree Meet Called By Schaefer

'Citizen Kane' on Formal Release Schedule

RKO district managers have been called in from the field by George J. Schaefer, president, and Ned E. Depinet, vice-president in charge of distribution, for a meeting with home office executives at the Waldorf-Astoria today on formulation of plans for sales operations under the consent decree.

George Schaefer

The meeting is the first executive sales gathering to be held in New York since the adoption of the decree and, in consequence, will command a larger representation of home office officials than any similar industry meeting.

Schaefer, Depinet and A. W. Smith, sales manager, will address the meeting.

General selling policies and discussion of the product to be released during the remainder of the current season also will occupy the meeting. "Citizen Kane," the Orson Welles picture which led to the banning of RKO publicity from Hearst newspapers, is listed as one of the forthcoming releases for which sales plans will be discussed

(*Continued on page* 11)

Pat Garyn, Veteran Film Salesman, Dies

DALLAS, Jan. 22.—Walter J. "Pat" Garyn, 50, veteran film salesman, died this morning in the St. Paul's Hospital here of heart disease following a week's illness. He had been in poor health for several years.

He had been operating Garynteed Pictures, Inc., independent exchange here, for the past three years. He was formerly general sales manager of National Screen Service, and had been Western division manager for the March of Time. A native of St. Louis, Garyn entered the industry with Fox Film, and became assistant to Winfield Sheehan. Later he held executive sales posts with M-G-M. He is survived by his widow, a sister and a nephew.

Arnold Mentioned For Supreme Court

Washington, Jan. 22.—Assistant Attorney General Thurman Arnold, chief of anti-trust enforcement, was seen here today as a possible appointee to the Supreme Court to succeed Associate Justice James C. McReynolds, who will retire Feb. 1.

N.W. Allied to Ask State Ban Blocks-of-Five

MINNEAPOLIS, Jan. 22.—Welding forces which on the first day of the convention appeared split, Northwest Allied today voted to lead a legislative assault on the block-of-five clause in the U. S. consent decree. The convention voted to back a bill in the Minnesota legislature contravening and setting aside the clause in favor of the sale of an entire season's product *en bloc*.

The same proposed bill will go to the legislatures of Wisconsin and North and South Dakota. The bill was referred back to the committee headed by Harold Field, for promotion

(*Continued on page* 11)

'Morale-Power' of Films Lauded by Senator George

WASHINGTON, Jan. 22.—Senator Walter F. George, chairman of the Foreign Relations Committee, today characterized the screen as "the first spokesman for the American way of life and our first line of defense in the maintenance of morale-power."

The statement was made when Senator George participated in a ceremony marking the presentation to W. E. D. Connor of the National Archives, of a print of the Selznick-M-G-M film, "Gone With the Wind." The print will join other films in the Archives vaults.

Senator George said the film "exemplifies the great constructive force of the screen in promoting a better understanding not only among the people

(*Continued on page* 11)

Universal Pension To Morris Joseph

NEW HAVEN, Jan. 22.—Morris Joseph, Universal exchange manager here, will receive a pension from the company, with which he had been associated for 29 years. He retired because of ill health. John Pavone has succeeded him here.

Joseph, in a letter to exhibitors throughout his territory, thanked each personally for his cooperation, and paid tribute to Universal home office executives who arranged his pension.

Paramount Showmen in Chicago Honor Balaban

By SAM SHAIN

Paramount is giving a "little family party" tonight at the Drake Hotel in Chicago, for one of its boys who rose to be president of the company. He is Barney Balaban. The party is in celebration of his fifth year as head of the firm, and about 300 Paramount showmen from every part of the country and Canada will attend. It is called a "family party" because only Paramounteers and their friends will be present. The address which Barney Balaban will make to these guests who are honoring him will be for their own ears only. It will not be a public speech.

Barney Balaban

Chief personal host at the dinner will be John Balaban, Balaban & Katz chieftain, and brother of Barney. Others are Paramount theatre and studio leaders, such as A. H. Blank, E. V. Richards, Y. Frank Freeman, Leo Spitz, Stanton Griffis, Adolph Zukor, Edwin L. Weisl and John D. Hertz.

Barney Balaban is 53. He is the eldest of eight children. His father, Israel, ran a little grocery store in the front of the two-story frame dwelling on Jefferson Street, Chicago, where Barney Balaban was born. His mother's name was Gussie. In the order of their birth, the eight Balaban children were Barney, A. J., Ida, Max, John, David, Harry and Elmer.

After a brief schooling, which ended at 12, Barney Balaban worked at several jobs, from a Western Union mes-

(*Continued on page* 9)

Agnew Shifts Paramount's Sales Force

Reagan Is Named Aide; Morgan on Shorts

CHICAGO, Jan. 22.—Charles Reagan, Paramount Western division sales manager, will become assistant general sales manager of the company under the realignment of the sales organization for operations under the consent decree.

Neil Agnew

The changes were completed here today by Neil Agnew, vice-president in charge of distribution, at the company's meeting of home office sales executives and district managers.

Other changes announced by Agnew, all of which will become effective between Feb. 1 and March 1, include the designation of Del Goodman, formerly 20th Century-Fox Far Eastern manager, as Paramount's general sales manager for Canada, succeeding Morris A. Milligan, resigned, and the appointment of Hugh Owen, former United Artists sales executive, as district manager for the Dallas, Oklahoma City and Memphis territory.

The appointment of C. J. Scollard as executive assistant to Agnew was announced previously.

Under the realignment, Paramount is abandoning a Southern division and

(*Continued on page* 9)

Schlaifer Leaves United Artists Post

HOLLYWOOD, Jan. 22.—L. J. Schlaifer, United Artists field sales representative, has severed his association with the company, it was reported today. His future plans are not known.

Schlaifer first joined United Artists in 1928, as assistant to Al Lichtman, then general sales manager of the company. He rejoined Universal in 1932 as general sales manager and returned to United Artists two years later as Western general sales manager. He was elected a vice-president in 1939. He first entered the industry in 1912.

Arthur W. Kelly, vice-president in charge of distribution, has not indicated his choice of a successor.

AAA Names Three New Board Clerks

American Arbitration Association yesterday confirmed the appointment of three additional local board clerks, bringing the total named to date to 19. Appointment of the remaining 12 and leasing of office sites for those boards are expected to be cleared this week.

The three board clerks named yesterday and the locations of the boards are: Atlanta, Detlef Hansen, Jr., Mortgage Guaranty Bldg.; Boston, Henry de la Morandiere, Chamber of Commerce Bldg., and Washington, H. B. Barton, Denrike Bldg.

Minneapolis Case Looms

Minneapolis, Jan. 22.—The 4,000-seat Minnesota and the 300-seat Esquire, both of which were reopened recently after being closed for some time, may be the first to file complaints of inability to obtain suitable product when the local arbitration board opens here, it was learned today.

Both houses, now running "B" pictures or reissues, have charged on the occasion of earlier closings that they were unable to compete with Minnesota Amusement Co. for first run product.

All other complaints awaiting filing here relate to clearance.

Many Stars to Attend FDR Birthday Ball

Washington, Jan. 22.—Kitty Carlisle was added to the list of entertainers for the President's Birthday Ball on Jan. 30.

The roster of stars who will appear now includes Robert Young, Wallace Beery, Deanna Durbin, Carolyn Lee, Red Skelton, Jean Hersholt, Helen Gahagan, Carmen Miranda, Charlotte Greenwood, Lynn Bari, Edward G. Robinson, Preston Foster and Constance Moore.

Clifton Fadiman, of "Information, Please," will be master of ceremonies at the dinner to be held at the Hotel Willard next Thursday night at which Tommy Harmon and Alice Marble will be guests of honor. Then the covey of celebrities will begin making the rounds of five hotels where the Birthday Balls will be going on simultaneously.

Charles Laughton and Elsa Lanchester, who were expected to be present for the celebration, it is now announced will not appear.

O'Connor Transfers RKO Managers Here

Several changes and promotions in RKO metropolitan theatres' personnel were made yesterday by John J. O'Connor, vice-president and general manager.

Edward Sniderman, Bronx and East Side Manhattan division exploitation man, was appointed manager of RKO Proctor's, Newark, replacing Robert Ungerfeld, resigned. Stanley Wilcheff of the home office publicity staff succeeds Sniderman, and is in turn succeeded by Raymond Malone.

Three assistant managers were transferred to other theatres to serve in the same capacity. They are: Philip Nemirow, from the Empire to the Alhambra; John Conhaim, from the Alhambra to the Regent, and Rodney White, from the Regent to the Empire.

Personal Mention

HAL B. WALLIS, Warner executive producer, arrived here yesterday after attending the inauguration in Washington. He will see plays and confer at the home office.

•

Burt Champion of the United Artists home office publicity staff is in French Hospital, suffering from flu and bronchitis.

•

William Redden, manager in Kansas City for Ross Federal Service, is the father of a son, born this week, and named William Burch Redden.

•

Mitchell Franklin, manager of the Mayfair, St. John, has succeeded Charles S. Chaplin, transferred by U. A., as president of the St. John Y.M.H.A.

•

William E. Spragg, M. & P. district manager in southeastern New England, is in Chicago.

•

Ralph E. Snider, treasurer of the Associated Circuit in New England, has joined his family in Miami for a three-week vacation.

•

A. A. Spitz, Providence veteran exhibitor, will spend next week in Atlantic City.

•

Budd Rogers, returned yesterday from a trip to Toronto, Buffalo and Boston.

EDWARD M. FAY, circuit operator in Providence, has been re-elected to the executive committee of the Rhode Island Society of New York.

•

Joseph C. Clemmons has been re-elected for a third term as president of the Chamber of Commerce of Beaumont, Texas.

•

Monroe Greenthal, Louis Astor, and Emanuel Silverstone lunching yesterday at Lindy's (next to the Rivoli).

•

Joseph Bernhard, William A. Scully, Max A. Cohen, George Weltner, Saul Rogers, Laurence Bolognino, Ralph Austrian and Harry Goetz at Nick's Hunting Room in the Astor yesterday for lunch.

•

Richard A. Rowland, Maurice Bergman, Lawrence Tibbett and Henry Jaffe having lunch at the Tavern yesterday.

•

David Loew, Arthur Loew, Luther Adler, Richard Rodgers, William P. Montague, Jr., and Al Richard at Sardi's for lunch yesterday.

•

Cresson Smith, Lowell Calvert, Terry Ramsaye, June Hovac, Sam Shain, Fred Schwartz and Clarence Lowe lunching at Toots Shor's yesterday.

Canada Seizes Nazi Propaganda Films

Montreal, Jan. 22.—Dominion Film Board officials said today that British ships have seized "very substantial" quantities of German-made motion pictures intended for use as propaganda in the United States and South America.

Since the start of the war British Contraband Control has seized many German films and forwarded them to Ottawa where John Grierson, Dominion Film Commissioner, is welding them into what officials described as a "valuable pictorial record" of the war.

Some of the more graphic have been incorporated in Canadian motion pictures; others have been sent to the U. S. after editing for counter-propaganda purposes.

The last batch seized from a shipment headed for South America is said to contain some of the most graphic pictures yet obtained. They portray London under fire; a ship in a British convoy photographed from a dive bomber, and freight yards in France smouldering after an R.A.F. raid.

Mrs. Schnitzer Dies

Hollywood, Jan. 22.—Mrs. Blanche Schnitzer, mother of Joseph and Abe Schnitzer of Western Costume Co. here, died yesterday at the age of 75, after a lingering illness. Three daughters also survive. The body is being taken to Pittsburgh, her former home, for burial. Mrs. Schnitzer also was an aunt of Pandro Berman.

Legion Approves 14 Of 16 New Pictures

Of 16 new pictures reviewed by the National Legion of Decency for the current week, 14 were approved, nine for general patronage and five for adults, while two were classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Billy the Kid's Range War," "Doomed Caravan," "The Great Commandment," "Her First Romance," "The Lone Rider Rides On," "Outlaws of the Panhandle," "Texas Rangers Ride Again," "Trail of the Silver Spurs," "Where Did You Get That Girl." Class A-2, Unobjectionable for Adults—"Convoy," "The Roundup," "Tall, Dark and Handsome," "Virginia," "Wild Man of Borneo." Class B, Objectionable in Part—"Invisible Woman," "Mr. and Mrs. Smith."

Fay's in Providence Resumes Vaudeville

Providence, Jan. 22.—Increasing interest in vaudeville by patrons, and a general shortage of available product, are given as reasons why Fay's Theatre here on Friday will revert to a vaudeville-and-screen policy after eight months operation as a double feature house.

Edward M. Fay discontinued vaudeville last May 30 at Fay's, and the house, normally closed during the Summer season, stayed open, showing westerns and adventure films. The house has been getting 15 cents, 28 cents and 39 cents for films, but will go to a 44-cent top for the new combination programs.

Para. London Law Firm Office Razed

The law offices of Kirley Sons & Karuth, Paramount legal representatives in London, were destroyed in the Dec. 29 bombing of the City, together with most of the legal documents and records of the office, according to word received at the Paramount home office yesterday.

Realign Commerce Bureau on Defense

Washington, Jan. 22.—Reorganization of the Bureau of Foreign and Domestic Commerce to give absolute priority to national defense functions was ordered today by Secretary of Commerce Jesse Jones.

Including the Motion Picture Division and the Electrical Division, which handles radio matters, all branches of the bureau will concentrate on activities that will further the relationship between industry and the Government in carrying out the Administration's defense objectives.

"The realignment of the bureau for defense purposes is designed to increase, not to diminish, the services which have been rendered in the past to the public, but complete priority will be given to any assignment to advance the defense program," he said.

Metro Art Contest Starts on 'Ziegfeld'

M-G-M has set a national art contest in connection with "The Ziegfeld Girl," in cooperation with the Art Students League of New York. The contest, which opened yesterday, continues to March 17, this year.

Cash prizes totaling $1,000 will be awarded for the best drawings or paintings symbolizing the "Ziegfeld Girl of 1941." It is open to all artists and art students. More than 1,000 art schools throughout the country are expected to participate. A committee of judges will decide the winners.

Warner Ball March 8

The 12th annual banquet and ball of the Warner Club will be held March 8, in the grand ballroom of the Waldorf-Astoria Hotel.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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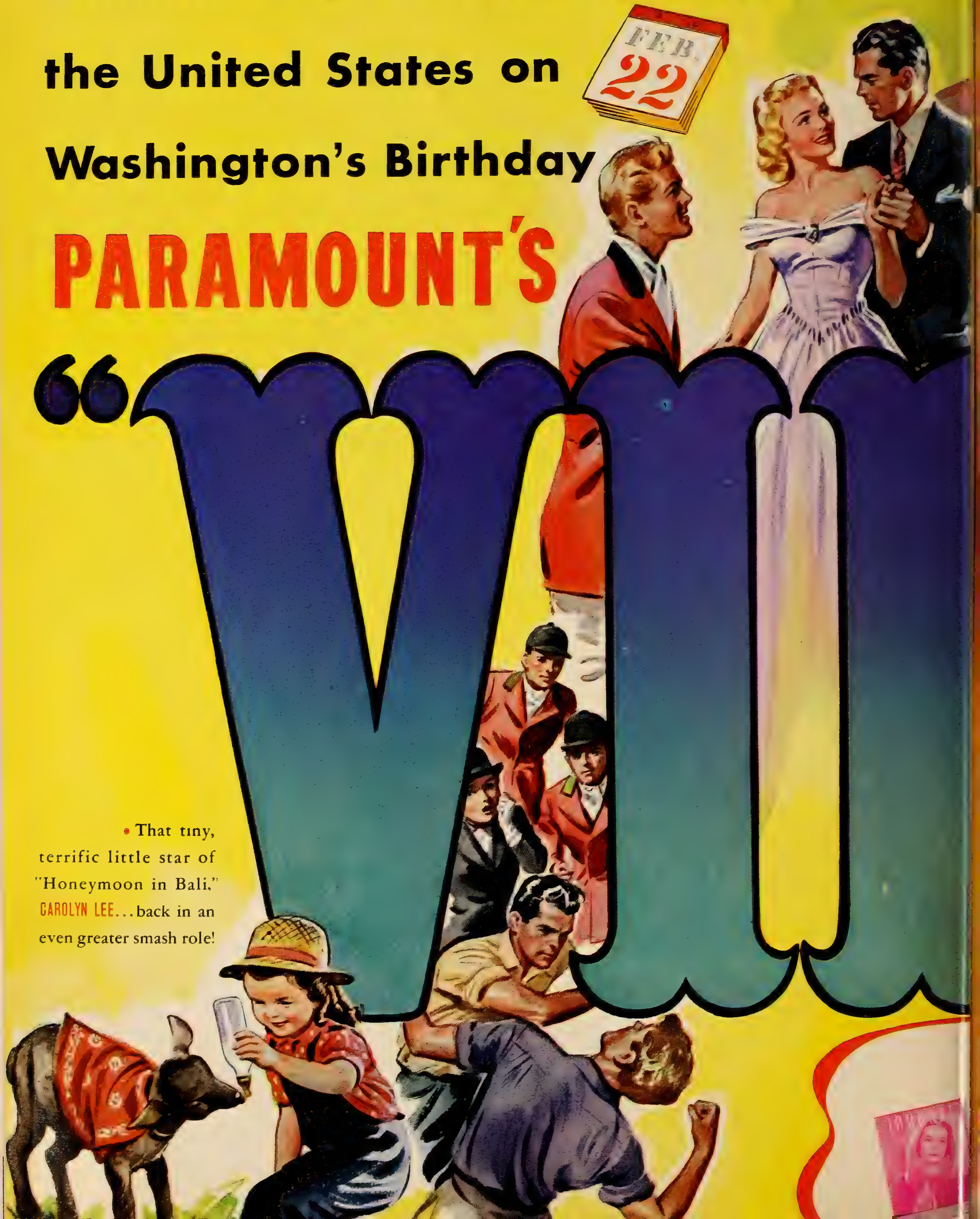
Big as the
Heart of Dixie
and twice as
Beautiful...

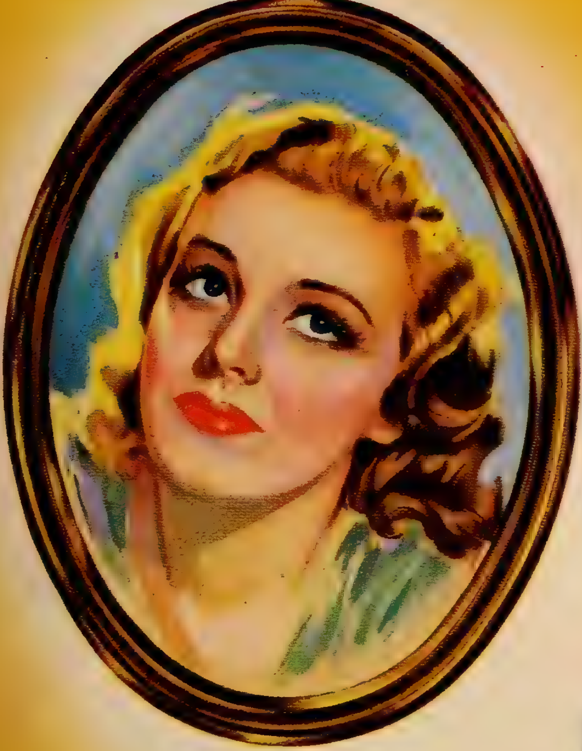
Simultaneous release throughout the United States on Washington's Birthday

PARAMOUNT'S



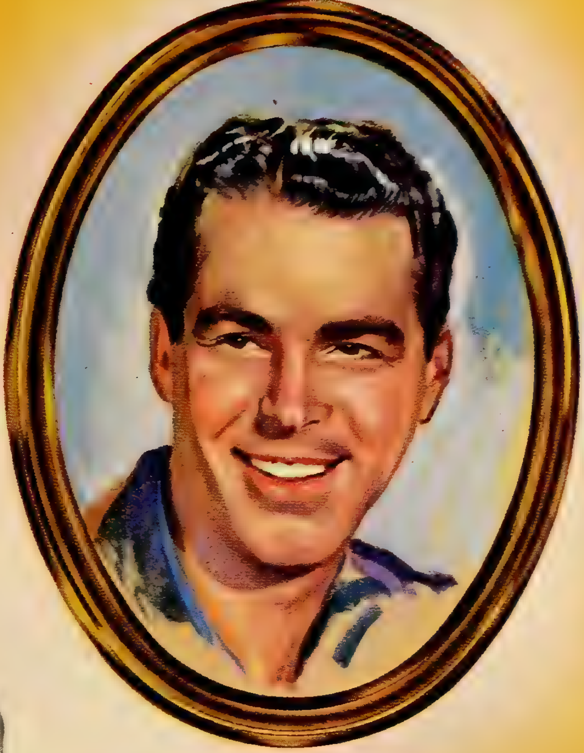
• That tiny, terrific little star of "Honeymoon in Bali," CAROLYN LEE... back in an even greater smash role!

A FOUR STAR CAST!



MADELEINE CARROLL

Fresh from her great box office triumph in "North West Mounted Police!"

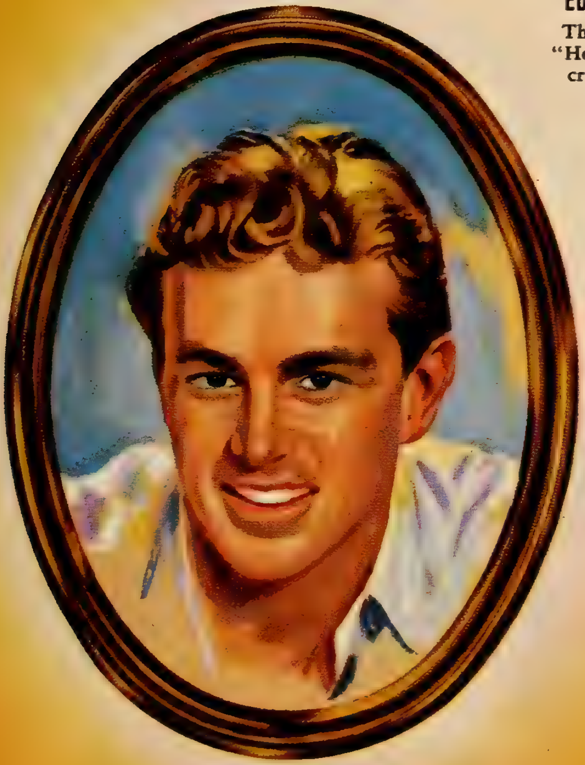


FRED MacMURRAY

Star of "Honeymoon in Bali" in his greatest role!

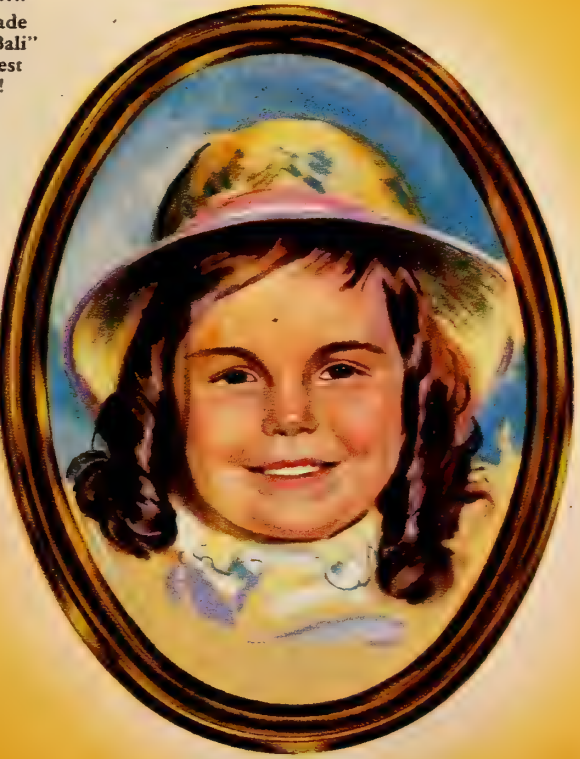
EDWARD H. GRIFFITH

The man who made "Honeymoon in Bali" creates his greatest entertainment!



STIRLING HAYDEN

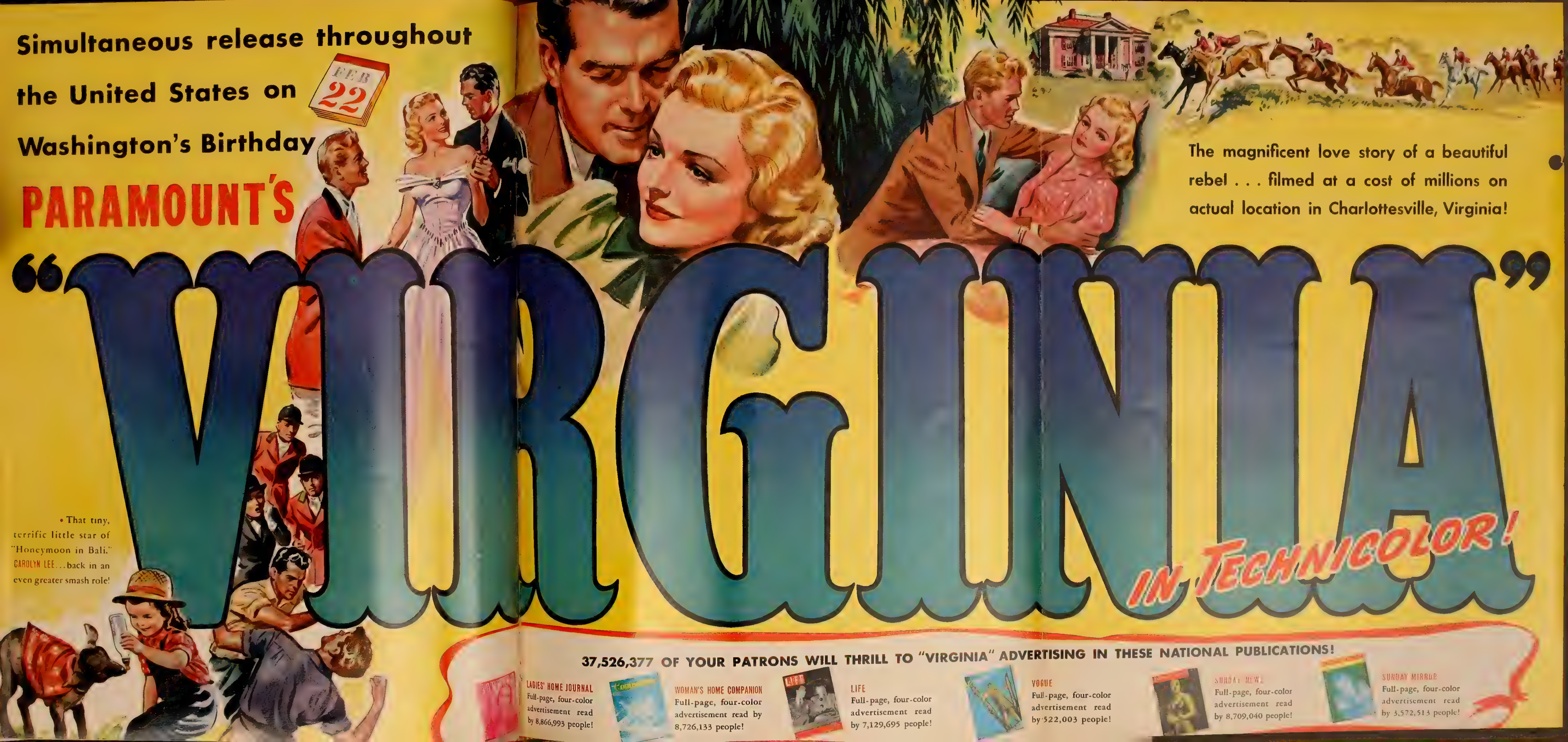
The year's most important star discovery!



CAROLYN LEE

The "Honeymoon in Bali" baby scores a sensational success!

. . . and an all-star supporting cast headed by popular Helen Broderick and beautiful Marie Wilson!



Simultaneous release throughout the United States on Washington's Birthday

PARAMOUNT'S

"VIRGINIA"

IN TECHNICOLOR!

The magnificent love story of a beautiful rebel . . . filmed at a cost of millions on actual location in Charlottesville, Virginia!

• That tiny, terrific little star of "Honeymoon in Bali," CAROLYN LEE . . . back in an even greater smash role!

37,526,377 OF YOUR PATRONS WILL THRILL TO "VIRGINIA" ADVERTISING IN THESE NATIONAL PUBLICATIONS!

LADIES' HOME JOURNAL
Full-page, four-color advertisement read by 8,866,993 people!

WOMAN'S HOME COMPANION
Full-page, four-color advertisement read by 8,726,133 people!

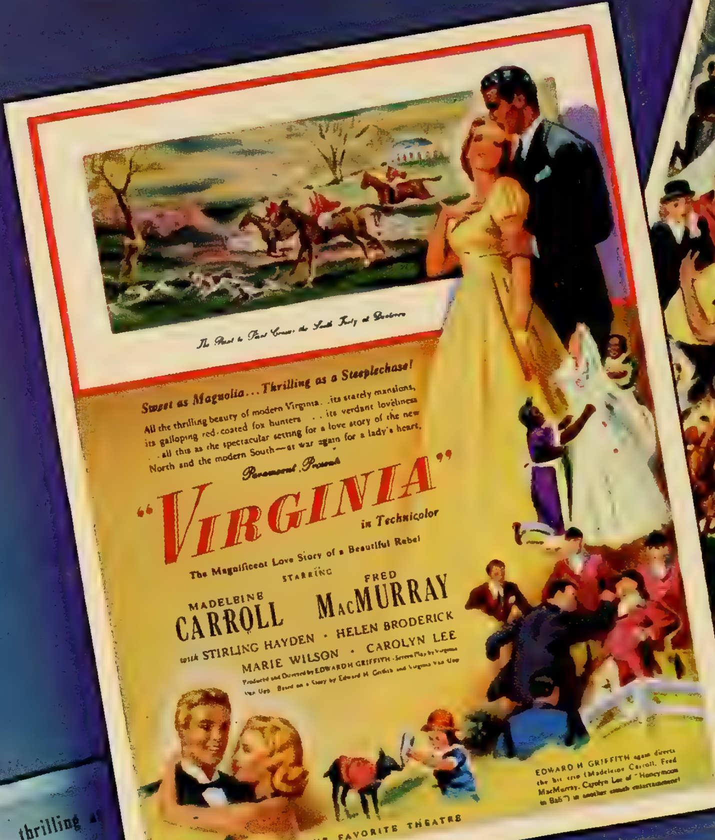
LIFE
Full-page, four-color advertisement read by 7,129,695 people!

VOGUE
Full-page, four-color advertisement read by 522,003 people!

SUNDAY NEWS
Full-page, four-color advertisement read by 8,709,040 people!

SUNDAY MIRROR
Full-page, four-color advertisement read by 3,572,513 people!

37,526,377 READERS!



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Sweet as Magnolia... Thrilling as a Steeplechase!

All the thrilling beauty of modern Virginia... its stately mansions, its galloping red-coated fox hunters... its verdant loveliness ...all this as the spectacular setting for a love story of the new North and the modern South—at war again for a lady's heart.

Paramount Presents

"VIRGINIA" in Technicolor

The Magnificent Love Story of a Beautiful Rebel

STARRING

MADELEINE CARROLL FRED MacMURRAY

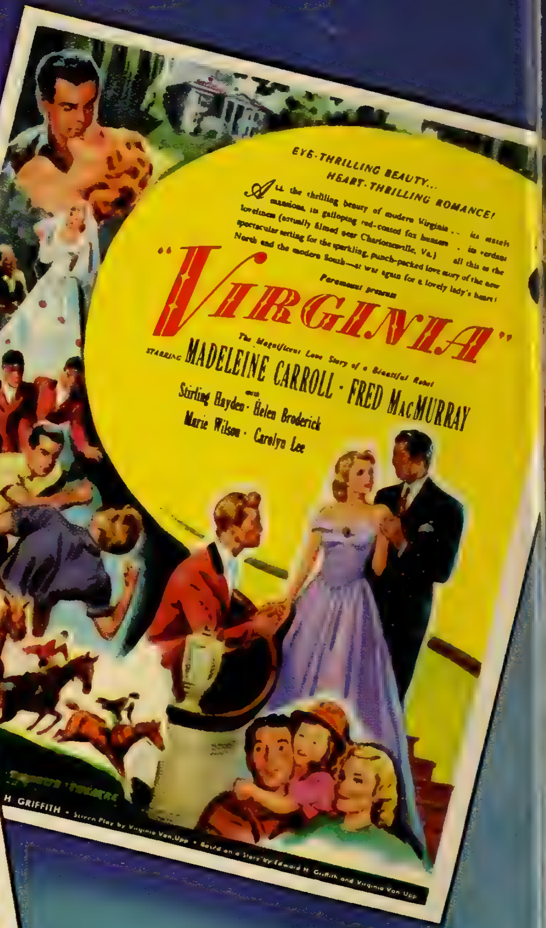
with STIRLING HAYDEN · HELEN BRODERICK

MARIE WILSON · CAROLYN LEE

Produced and Directed by EDWARD H. GRIFFITH · Screen Play by Virginia Van Upp · Based on a Story by Edward H. Griffith and Virginia Van Upp

EDWARD H. GRIFFITH again directs the hit trio (Madeleine Carroll, Fred MacMurray, Carolyn Lee of "Honeymoon in Bali") in another smash entertainment!

COMING SOON TO YOUR FAVORITE THEATRE



EYE-THRILLING BEAUTY... HEART-THRILLING ROMANCE!

All the thrilling beauty of modern Virginia... its stately mansions, its galloping red-coated fox hunters... its verdant loveliness (actually filmed near Charlottesville, Va.) ... all this as the spectacular setting for the sparkling, punch-packed love story of the new North and the modern South—at war again for a lovely lady's heart!

Paramount presents

"VIRGINIA"

The Magnificent Love Story of a Beautiful Rebel

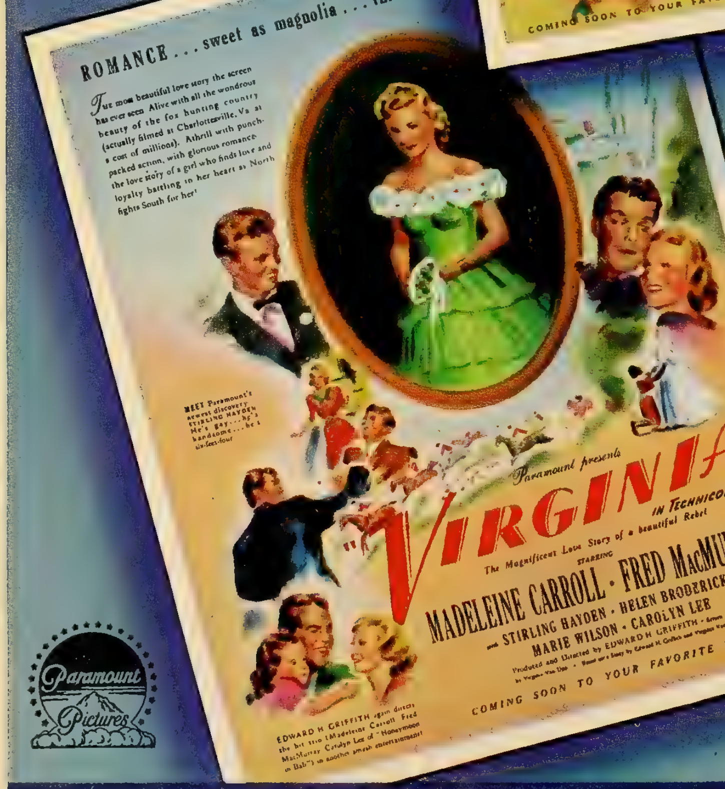
STARRING MADELEINE CARROLL · FRED MacMURRAY

with

Stirling Hayden · Helen Broderick

Marie Wilson · Carolyn Lee

H GRIFFITH · Screen Play by Virginia Van Upp · Based on a Story by Edward H. Griffith and Virginia Van Upp



ROMANCE... sweet as magnolia... thrilling as

The most beautiful love story the screen has ever seen. Alive with all the wondrous beauty of the fox hunting country (actually filmed at Charlottesville, Va. at a cost of millions). Athrill with punch-packed action, with glorious romance... the love story of a girl who finds love and loyalty battling in her heart as North fights South for her!

MEET Paramount's newest discovery STIRLING HAYDEN. He's gay... he's handsome... he's six-feet-four

Paramount presents

"VIRGINIA" IN TECHNICOLOR!

The Magnificent Love Story of a beautiful Rebel

STARRING

MADELEINE CARROLL · FRED MacMURRAY

and STIRLING HAYDEN · HELEN BRODERICK

MARIE WILSON · CAROLYN LEE

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COMING SOON TO YOUR FAVORITE THEATRE

• Huge advertising campaign scheduled to reach every movie-goer in the nation. National magazine advertisements in full color! Coast to coast newspaper campaign! Everyone who can read will thrill to the news: "**VIRGINIA**" is the season's greatest entertainment!

Paramount Pictures

Paramount presents

"VIRGINIA"

IN TECHNICOLOR!

MADELEINE CARROLL · FRED MacMURRAY

with Stirling Hayden · Helen Broderick · Marie Wilson

Guests Attending Balaban Dinner

Following is the list of guests scheduled to attend the Balaban & Katz testimonial dinner to Barney Balaban at the Drake Hotel in Chicago tonight:

Adam Adams, J. M. Abraham, Girard Adams, John Quincy Adams, Neil Agnew, A. L. Anson, C. B. Atkins.

•

Waldo Bail, Barney Balaban, David Balaban, Elmer Balaban, Harry Balaban, John Balaban, Carl Bamford, Tracy Barham, Ray Beall, E. C. Beatty, Hector Bishop, Robert Blair, A. H. Blank, Myron N. Blank, Raymond Blank, Kenneth Blewett, Ben Bloomfield, Ted Boisumeau, R. W. Bolstad, Rudy Born, A. M. Botsford, T. J. Bragg, Hugh Braly, George Brandt, G. Ralph Branton, J. A. Branton, Maxwell Braswell, William Briscoe, A. H. Brolly, Edward E. Brown, Gil C. Brown, George Brown, Milton Brown, Harry Browning, Gibbons Burke, Al Burne.

•

Wallace V. Camp, Raymond Carsky, N. L. Carter, Louis V. Charipar, Bernard Cobb, Miles Concannon, Billy Connors, A. P. Conroy, James Cooney, Charles Cottle, E. E. Crabtree, Edward A. Cuddy, Evert R. Cummings.

•

A. J. Damon, Harry David, Charles F. Davidson, Jess Day, J. J. Deitch, Sam Dembow, Jr., Louis Deutsch, Edward Dlouhy, J. J. Donohue, John P. Dromey, Gaston Dureau, Allen Dumont, A. J. Dunne.

•

L. E. Eastman, William Eddy, Max Edelstein, Adolph Eisner, Oliver Epps, William H. Erbb.

•

Aaron Feinberg, B. W. Feldman, Hy Fine, Joseph W. Finley, V. J. Fisher, John J. Fitzgibbons, Henry Foehrkalb, G. B. J. Frawley, Y. Frank Freeman, Harry B. French, John J. Friedl.

•

Jack Garber, Ben Goldsaler, Robert M. Gillham, Maurice Glass, Leslie H. Gleason, Leonard H. Goldenson, Ernest E. Goldstein, Harry H. Goldstein, Nathan E. Goldstein, Samuel Goldstein, Dell Goodman, M. R. Goodman, W. W. Goodman, Julius M. Gordon, M. F. Gowthorpe, Melvin Greenblatt, Stanton Griffis.

•

Marvin S. Harris, B. H. Harrison, Thor Hauschild, William Heasman, Raymond Hendry, John Hertz, Archie Herzoff, A. H. Higginbotham, Robert Hines, Karl Hoblitzelle, Jack Hoeffler, Perry Hoeffler, Roger Holden, W. K. Hollander, George C. Hoover, M. W. Hork, E. J. Hudson.

•

Elmer Immerman, Walter Immerman, I. Jacobsen, A. W. Jones.

•

Harry Kalcheim, P. M. Kalleres, Jack Katz, J. N. Katz, Sam Katz, A. J. Kaufman, Joseph Kaufman, Duncan R. Kennedy, Austin Keough, Elmore Keyes, H. F. Kincey, Joseph Kinsky, J. F. Kirby, Milton S. Kusell.

•

William T. Landon, Ralph Lawler, Claude Lee, Al Leonard, M. G. Leonard, F. A. Leroy, Sam Levin, Gene Levy, Edwin B. Lewis, M. D. Lewis, R. C. Libeau, M. A. Lightman, M. A. Lightman, Jr., Byron Linn, Louis R. Lipstone, H. J. Lorber, L. J. Ludwig, Harry Lustgarten, J. J. Lynch, Herbert Lyon.

•

Louis Machat, R. C. MacMullen, Hugh Martin, M. E. McClain, J. R. McCullough, Vincent McFaul, L. M. McKetchneay, John McKenna, Francis W. McManus, William G. Methe, Max Milstein, Fred Minton, John H. Mitchell, John L. Mitchell, A. J. Moreau, Oscar Morgan, Alec Moss, George E. Mullare, M. J. Mullin.

•

Harry L. Nace, N. L. Nathanson, Charles Nesbitt, Leon Netter, John Nolan.

•

E. E. O'Donnell, Robert J. O'Donnell, William O'Donnell, Milton Officer, J. J. O'Leary, Frank Omick, Hugh Owen.

•

Francis Pallester, C. W. Perrine, Louis Phillips, Thomas O. Pierce, Samuel Pinanski, Joseph Pipher, George Planck, Abe J. Platt, N. M. Platt, Irvin L. Porter, Clifford C. Porter, Harry Porter.

•

Paul Raibourn, Melvin J. Rainey, C. M. Reagan, Harry G. Redmon, E. V. Richards, Boris Riedel, Roy Rogan, George Romine, Thomas P. Roman, C. B. Rubens, J. J. Rubens, M. M. Rubens, C. J. Russell, Sr., Charles A. Ryan.

•

J. J. Sampson, Edward Sapinsley, James Savage, Jack Schaefer, Leonard Schiff, Max Schosberg, C. J. Scollard, Edward Seguin, Philip Seletsky, Raleigh Sharrock, Ralph Sherry, Harry Sherman, E. M. Simonis, G. A. Smith, Harry Smith, McNeil Smith, Samuel Soible, Phillip Solomon, Hugo Sonnenschein, Harry Spiegel, Leo Spitz, William E. Spragg, Warren L. Stafford, Leo Stahr, Isadore Stein, Robert M. Sternburg, Henry C. Stickelmaier, C. B. Stiff, C. L. Stoddard, A. G. Stolte, Rollin K. Stonebrook, Joseph Stout, E. W. Sweigert.

•

Arthur Thaler, Raymond Thompson, James R. Thompson, E. R. Toerpe, A. L. Trebow, Edward Trunk.

•

J. J. Ungar, F. B. Unseld, Elmer C. Upton, Allen Usher, Ray Van Getson.

•

David B. Wallerstein, Leslie Walrath, Harry M. Warren, H. I. Wasserman, Isadore Weinshienk, Edwin Weisl, Ralph Wettstein, F. N. Weber, J. R. Wheeler, E. E. Whitaker, R. B. Wilby, Raymond Willie, Al Wilkie, Charles Winchell, Jerry Winsberg, Paul Witte, Jack Wohl, Clare Woods, L. C. Worley.

•

George Zeppos, Jerry Zigmond, Adolph Zukor.

Paramount Showmen in Chicago Honor Balaban

(Continued from page 1)

senger boy to a clerk in a cold storage firm, known as the Western Cold Storage Co. He was 20 then, and chief clerk.

On Kedzie Avenue, at about this time, there was a little, makeshift nickelodeon film theatre. Here it was that A. J. and Ida, Barney's brother and sister, were a part-time piano and singing team. When her children performed at this theatre, Mrs. Balaban would quietly visit the place to aid audience reception. This was in 1907, and what impressed Mrs. Balaban most on these visits, was how the customers had to pay their five cents in advance before entering the theatre. It was otherwise with her grocery store customers. Some of these never paid their bills.

It wasn't long before A. J. and Ida offered to buy the Kedzie Avenue nickelodeon. The best deal they could make, however, was a leasing arrangement at $100 per month. The theatre was a makeshift store loft.

The first week's receipts amounted to $88. Later, these rose to as much as $200. A. J. was in charge of the theatre, while Barney, although interested, continued at his cold storage clerkship, where he was earning $25 weekly. Improvements were made in the theatre and Barney, who even then showed the financial acumen and business instinct which was to bring him to his present position, was responsible for them seeking a second theatre before the year was out.

By 1909, Barney Balaban was convinced that motion pictures were here to stay. They built the Circle in Chicago, and put in a pipe organ and what has been described as a "pretty good" ventilating system. It was the "last word" in theatres for that era—and it seated 1,000. At prices of 15 and 20 cents, Barney Balaban and his brother, A. J., presented with the picture, people like Sophie Tucker, Charlotte Greenwood and the Marx Brothers. Sophie Tucker's salary in those days was hardly a fraction of what she was to obtain as a vaudeville and night club entertainer a few years later.

Soon the Balabans, in association with Sam Katz, owned and operated several theatres. The first de luxe theatre, the Central Park in Chicago, was opened by them in 1917, at a cost of $275,000. This theatre served as a model for future theatres throughout the country. The Central Park also had a refrigeration system which permitted it comfortably to stay open in the Summer months. Until then, theatres frequently shut down for the Summer.

With the help of John D. Hertz, financier, and the late Morris Rosenwald, the Balabans and Katz established a chain of new theatres, build- among others the famous Chicago theatre, the Riviera and the Uptown. B. & K. now owns and operates 125.

Barney Balaban was elected president of Paramount in 1936. This was several years after Paramount, under Adolph Zukor, having decided to enter the theatre business, purchased control of Balaban & Katz, and built the famous Publix chain which was headed by Balaban's former partner, Katz. Today the Paramount theatre holdings number about 1,300 owned directly and with associates.

Abilene Permits Film Shows Sunday Night

ABILENE, Texas, Jan. 22.—Despite the protests of members of the clergy, the local City Commission has repealed the ordinance prohibiting the opening of theatres on Sunday nights.

Under the terms of the revision, theatres may remain open until 11 P.M. on Sundays, effective Jan. 27. This will mark the first time in the city's history that films may be seen on Sunday nights. Interstate Circuit operates most of the local houses.

Studios Buy Exhibits From Fair in Frisco

San Francisco, Jan. 22.—Most of the studios have sent representatives to buy up dismantled exhibits, pavillions and furniture, now being sold or auctioned at Treasure Island.

'Go West' Scores $13,000, Baltimore

BALTIMORE, Jan. 22. — "Go West" drew $13,000 at the Century. "North West Mounted Police" tallied $15,000 at the Stanley on the second week.

Estimated takings for the week ending Jan. 16:

"Go West" (M-G-M)
CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $13,000. (Average, $10,000)

"Invisible Woman" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $8,500. (Average, $9,000)

"Hudson's Bay" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)

"North West Mounted Police" (Para.)
STANLEY — (3,280) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $15,000. (Average, $12,000)

"Kitty Foyle" (RKO)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. On the stage: "Knick Knacks of 1941" with Lew Parker and Collette Lyons. Gross: $16,000. (Average, $14,000)

Agnew Shifts Paramount's Sales Force

(Continued from page 1)

Oscar Morgan, manager of that division, will become short subjects and newsreel sales manager. J. J. Unger continues as manager of the domestic Eastern division. Canada, formerly a part of the division, becomes a separate sales territory. George A. Smith, former Pacific Coast district manager, is made Western division manager, succeeding Reagan. Hugh Braly, formerly manager of the district now assigned to Owen, succeeds Smith as Pacific Coast district manager.

Two new sales districts are created by the realignment. They consist of the Philadelphia, Washington and Pittsburgh territories with Earle W. Sweigert, former Philadelphia branch manager, in charge, and a district comprising Denver, Omaha and Salt Lake City, for which a manager has not been selected yet.

In addition, John F. Kirby, Atlanta branch manager, was named Southeastern district manager, succeeding Harold Wilkes, who is retiring temporarily because of illness. E. B. Price, formerly New Orleans branch manager, will succeed Kirby at Atlanta, and Saul Frifield, formerly a Charlotte salesman, will succeed Price as New Orleans branch manager.

The Eastern division will consist of 12 exchanges, taking in the territory from New England through Washington, and west to Indianapolis. The Western division will include the balance of the Middle West, the South and Far West, comprising 19 exchanges. However, quotas for the two divisions will be about evenly balanced, Agnew said.

'Flight Command' at $9,500 in New Haven

NEW HAVEN, Jan. 22. — "Flight Command" and "Street of Memories," at the Loew-Poli, tallied $9,500. "The Thief of Bagdad" and "Mexican Spitfire Out West" took $6,500 at the Roger Sherman.

Estimated takings for the week ending Jan. 16:

"Comrade X" (M-G-M)
"Jennie" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $2,700)

"Flight Command" (M-G-M)
"Street of Memories" (20th-Fox)
LOEW-POLI — (3,040) (39c-50c) 7 days. Gross: $9,500. (Average, $8,000)

"Love Thy Neighbor" (Para.)
"World in Flames" (Para.)
PARAMOUNT—(2,348) (39c-50c) 6 days, return engagement. Gross: $3,500. (Average, $4,000)

"The Thief of Bagdad" (U. A.)
"Mexican Spitfire Out West" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,500. (Average, $5,000)

30 in Projection School

TORONTO, Jan. 22. — Enrollment in the projectionists' school which has been created by the Ontario Government for the standardized training of booth apprentices in a course of one year, has been closed at 30 it is announced from an official source. The number of students will be confined to 30 so that the market will not be flooded.

'Comrade X' Gets $20,000, Philadelphia

PHILADELPHIA, Jan. 22.—Grosses continued at good levels. "Comrade X" gave the Stanley $20,000. "Maisie Was a Lady," with vaudeville at the Earle, drew $18,500.

Estimated takings for the week ended Jan. 15-17:

"The Son of Monte Cristo" (U.A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $9,200. (Average, $9,000)
"Dr. Kildare's Crisis" (M-G-M)
"Christmas in July" (Para.)
ARCADIA—(600) (35c-46c-57c) 4 days, 2nd run, $2,200; four days, 2nd run, $1,400; 8 day average, $3,600. Gross: $3,600. (Average, $2,600)
"Kitty Foyle" RKO
BOYD—(2,400) (35c-41c-46c-57c-68c) 6 days, 3rd week. Gross: $9,900. (Average, $13,000)
"Maisie Was A Lady" (M-G-M)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Phil Spitalny's orchestra, Evelyn, 3 Little Words, Mary McLanahan, Catherine, and Rosa, Linda & Lola. Gross: $18,500. (Average, $14,000)
"Romance of the Rio Grande" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Diane Logan, Lucille Rand, Ginger Manners, Paul Sidell & Spotty, Marion Bennett & English Brothers, Sully & Thomas. Gross: $6,400. (Average, $6,900)
"Santa Fe Trail" (W.B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 8 days, 2nd week. Gross: $12,100. (Average, $13,000)
"You'll Find Out" (RKO)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $1,800. (Average $3,000)
"The Thief of Bagdad" (U.A.)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $2,900. (Average, $4,500)
"Comrade X" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $20,000. (Average, $14,000)
"Blackout" (U.A.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,000. (Average, $4,500)

'Command' Garners $11,000, Kansas City

KANSAS CITY, Jan. 22. — Grosses were slow here. "Flight Command" and "Keeping Company" at the Midland drew $11,000. "Kitty Foyle" was good for $7,100 in its second week at the Orpheum.

Estimated takings for the week ending Jan. 13-16:

"Li'l Abner" (RKO)
ESQUIRE—(800) (28c-44c) 6 days. Gross: $1,500. (Average, 6 days, $1,800)
"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $11,000. (Average, $9,500)
"Love Thy Neighbor" (Para.)
NEWMAN—(1,900) (28c-44c) 5 days. 3rd week. Gross: $4,700. (Average, 5 days, $5,400)
"Kitty Foyle" (RKO)
"Saint at Palm Springs" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days, 2nd week. Gross: $7,100. (Average, $5,000)
"Michael Shayne, Private Detective" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Frank Evers & Dolores, Simpson's Humanettes, Billy Farrell & Lucie Boots. Gross: $6,100. (Average, $6,000)
"Li'l Abner" (RKO)
UPTOWN — (2,000) (28c-44c) 6 days. Gross: $2,500. (Average, 6 days, $2,600)

Para. Shifts Pennington

SEATTLE, Jan. 22.—Ward Pennington has been appointed salesman in the eastern Washington territory for Paramount. He comes from San Francisco. He has succeeded Glen Haviland, who replaces Dwight Spracher in the western Washington district.

Feature Review

"Nobody's Children"

(Columbia)

BASED upon the radio program of the title, which promotes the adoption of orphans, this is a tender drama designed, presumably, for feminine audiences almost exclusively. The serious story relates the case history of a brother and sister who eventually find happiness in the home of a childless couple who respond to the radio appeal.

Edith Fellows and Billy Lee are the central characters in the story and are supported by Lois Wilson, Georgia Caine, Ben Taggart and others. Walter White, Jr., conducts the radio program and appears in the film as himself. Charles Barton produced.

The picture is entirely devoid of any comedy or humorous incident and plays upon the emotions of the onlooker almost constantly.

Running time, 65 minutes, "G."*

**"G" denotes general classification.*

'Santa Fe' Draws $15,000 in Detroit

DETROIT, Jan. 22.—"Santa Fe Trail" and "Life With Henry" grossed $15,000 at the Michigan. The Fox did $16,000 with "Arizona" and "The Bank Dick."

Estimated takings for the week ending Jan. 16:

"Hudson's Bay" (20th-Fox)
"The Phantom Submarine" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $5,500)
"Bitter Sweet" (M-G-M)
"City for Conquest" (W.B.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"Arizona" (Col.)
"The Bank Dick" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $16,000. (Average, $15,000)
"Santa Fe Trail" (W.B.)
"Life With Henry" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $12,000)
"Comrade X" (M-G-M)
"Second Chorus" (Para.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"Philadelphia Story" (M-G-M)
"Maisie Was a Lady" (M-G-M)
UNITED ARTISTS—(2,200) (20c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $10,000)

Col. Files Crescent Suit Plea Tomorrow

Columbia will file a motion to dismiss the Government's amended complaint against the three non-consenting companies in the Crescent Amusement Co. anti-trust suit in Federal court at Nashville tomorrow.

The motion, prepared by Louis D. Frohlich and Herman Finkelstein, Columbia counsel, will be returnable Feb. 7 and will be argued by them in Nashville Federal court.

A similar motion to dismiss the Government's amended complaint in the Griffith Amusement Co. suit in Federal court at Oklahoma City will be argued Jan. 31.

Dismiss Barnes Action

N. Y. Supreme Court Justice Ferdinand A. Pecora yesterday dismissed a $50,000 counter claim of Edward Sheldon and Margaret Ayer Barnes against Paramount. The counter claim had been raised by Sheldon and Barnes as defendants in a suit brought by Guthrie McClintic for $67,608 as one-half of the amount obtained by Sheldon and Barnes in their plagiarism suit against Loew's. The court ruled that Paramount, accepting the assignment of McClintic, had not assumed the obligations of the contract which had granted McClintic stage rights to the play.

'Command' Garners $13,500 in St. Louis

ST. LOUIS, Jan. 22.—With the Ballet Russe as competition, grosses at local theatres were off. "Flight Command" at Loew's State took $13,500.

Estimated takings for week ending Jan. 16:

"This Thing Called Love" (Col.)
"The Invisible Woman" (Univ.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. 2nd week. Gross: $9,000. (Average, $11,500)
"Hudson's Bay" (W. B.)
FOX—(5,038) (30c-40c-50c) 7 days. "Melody Ranch" on stage. Gross: $8,000. (Average, $11,000)
"Flight Command" (M-G-M)
"Dulcey" (M-G-M)
LOEW'S STATE—(3,126) (28c-39c-44c-56c) 7 days. Gross: $13,500. (Average, $13,000)
"Arizona" (Col.)
"Arise My Love" (Para.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $4,500. (Average, $4,000)
"Texas Rangers Ride Again" (Para.)
"Dancing on a Dime" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,700. (Average, $2,600)

Hicks and Pratchett To Cuba This Week

John W. Hicks, Paramount vice-president and foreign manager, and Arthur Pratchett, Central American manager, will leave Acapulco, Mexico, for Cuba this weekend on the *Siboney* and will go from there to Panama on the *America*, to conduct Paramount's Central American sales convention at Panama City, beginning Feb. 6. The two are obliged to detour through Cuba as a result of the grounding of the *Manhattan* off Palm Beach, the ship which they had planned to take direct to Panama from Acapulco.

Washington Variety Club Helps Hospital

WASHINGTON, Jan. 22.—Tent No. 11, Washington chapter of the National Variety Clubs of America, further entrenched itself in the heart of the nation's Capital yesterday by presenting a complete and modern dental unit to Children's Hospital.

Eighty club members, guests and officials witnessed the dedication ceremonies. The presentation was made by Chief Barker Hardie Meakin and Rudolph Berger, head of M-G-M's exchange and welfare chairman of the club.

Among those present were Sidney Lust, a former chief barker, and Dr. D. J. Palkin, who supervised the purchase and installation of the dental clinic.

Show Not Ready, But Rehearsal Is

Minneapolis, Jan. 22

WHEN a train carrying the A. B. Marcus stage unit was three hours late, leaving Manager Livingston Lanning of the Minnesota with a lobby full of customers and no show, he took unusual measures.

While stage hands prepared for the second scheduled performance, he let the clients watch a rehearsal on the bare stage.

Providence Hands 'Kitty' Nice $9,000

PROVIDENCE, Jan. 22.—"Kitty Foyle" and "The Saint at Palm Springs" at the RKO-Albee in the second week drew $9,000.

Estimated takings for the week ending Jan. 15-16:

"Kitty Foyle" (RKO)
"The Saint at Palm Springs" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $9,000. (Average, $6,000)
"Go West" (M-G-M)
"Land of Liberty" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $9,500. (Average, $11,000)
"Four Mothers" (W. B.)
"South of Suez" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,700. (Average, $7,000)
"Love Thy Neighbor" (Para.) (2 days)
"Who Killed Aunt Maggie" (Rep.) (2 days)
"Victory" (Para.) (5 days)
"Dancing on a Dime" (Para.) (5 days)
STRAND — (2,200) (28c-39c-50c). Gross: $5,000. (Average, $6,000)
"Misbehaving Husbands" (Prod. Rel.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Charlie Barnet and Orchestra, Sybil Bowan, Bob Howard, Gil and Bernice Maison, Linda Moody. Gross: $3,200. (Average, $4,000)
"Santa Fe Trail" (W.B.)
"Where Did You Get That Girl?" (Univ.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,600. (Average, $3,500)
"Lucky Devils" (Univ.)
"Ragtime Cowboy Joe" (Univ.)
FAY'S—(1,800) (15c-28c-39c). Gross: $2,200. (Average, $2,500)
"Escape" (M-G-M) (3 days)
"You'll Find Out" (RKO) (3 days)
"Arizona" (Col.) (4 days)
"Always a Bride" (W. B.) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $2,000. (Average, $2,000)

Three Patent Suits Filed in Delaware

WILMINGTON, Del., Jan. 22.—Three suits, all asking for declaratory decrees adjudging invalid patents involving certain radio receivers and electric conduit and cable have been filed in the U. S. District Court here by the Crosley Radio Corp., Emerson Radio & Phonograph Corp., and the Triangle Conduit & Cable Co., Inc. Defendants in the actions are the Hazeltine Corp. and the National Electric Products Corp.

All three suits ask declaratory judgment that the plaintiffs are not infringing on various patents mentioned in the actions. Two of the three suits are filed by Crosley and Emerson against the Hazeltine firm, while the third action is filed by Triangle Conduit & Cable against National Electric Products.

Renew Center Leases

Leases have been renewed on space in the Film Center Building by United Artists, Mecca Film Laboratories, Syndicate Exchanges and State Film Service Corp., through Cross & Brown, agents for the building.

Power Increase Time Is Extended

Washington, Jan. 22.—The FCC announced today that it had extended until July 1 the time for international short wave broadcasting stations to increase their power to 50,000 watts but added that no further extensions of time would be granted.

N.W. Allied to Ask State Ban Blocks-of-Five

(*Continued from page 1*)

and redrafting. The bill requires 20 per cent cancellation privileges, cancellation for unsuitability, curtailment of the expansion of circuits and has a measure requiring a showing of convenience and necessity for new theatres.

In what members called the most successful convention in history of Northwest Allied, the organization also voted to seek an amendment of Minnesota laws governing theatres to extend the jurisdiction to rural 16mm. tent shows designed to attract country crowds in small towns.

Announcement was made of a new plan to restore theatre attendance from competing forms of entertainment but details were withheld.

The convention also assailed a ruling calling for a tax on student admissions; protested the servicing by distributors of high schools and colleges with features; referred back to committee a resolution putting the organization on record as favoring a divorcement bill now before the legislature, and voted to resist the 50 per cent film deals and deals calling for advanced prices and extended playing time.

S. P. Halpern, attorney, told members that Ascap contracts are illegal and unenforceable because of a Washington ruling that Ascap is a monopoly, but the convention left it up to individual members to take action if they wished.

A dinner attended by about 200 members and guests closed the meeting.

Meeting Sets Plans For Allied N. Y. Unit

Preliminary plans for the organization of a New York State unit of national Allied were outlined at a meeting of exhibitors yesterday at the Hotel Lincoln. Sidney Samuelson of the national organization attended in an advisary capacity.

ITOA Meets Pielow

Ralph Pielow, new M-G-M branch manager here, was introduced to members of the New York I.T.O.A. meeting at the Astor yesterday. Routine business was discussed at the meeting. Another will be held in two weeks. Harry Brandt, president, presided at yesterday's meeting.

Off the Antenna

"VOX POP", one of the older audience participation programs, will abandon cash prizes for those quizzed and substitute others. Typical of the new type of prizes will be a free long distance call to Betty Grable, the screen star, to the lucky Midshipman who answers the right question on the CBS show at 7:30 this evening.

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Program News: *Two NBC-Red shows, "Waltz Time," sponsored by Chas. H. Phillips Chemical Co. and "American Album of Familar Music," sponsored by the Bayer Co. have added* 31 *Canadian stations to their existing hookups . . . Bisodol will add five stations Tuesday to the present* 50 *NBC-Blue network for "Mr. Keen, Tracer of Lost Persons" . . . Zion Kosher Meat Products will sponsor Harry Hershfield's "Life is Funny" over WHN, Sundays at* 2:15 *P.M. for* 13 *weeks . . . Alec Templeton's program tomorrow night will originate from Manhattan Center. About* 10,000 *persons are expected at the early and repeat broadcasts and all will be expected to contribute at least a dime to the "Mile O' Dimes" fund . . . Council for Democracy will inaugurate a new series over WMCA tomorrow evening at* 10:15, *entitled "Why Democracy?" Speakers on the series include Newbold Morris, Charles Evans Hughes, Jr., C. D. Jackson, of* Time, *George Britt, Frank Kingdon, C. J. Friedrich, Dorothy Thompson, Anne O'Hare McCormick, Charles Merz, James Tunis, Robert Sherwood, Clarence Francis, Raymond Rubicam and Paul G. Hoffman.*

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Purely Personal: John Royal, NBC vice-president in charge of international relations, left by Clipper yesterday for Bermuda, where he will meet Fred Bate, the network's London correspondent, who is flying in from Lisbon. Both are expected here Friday afternoon . . . Voices, Inc., has replaced George McCoy, by Al Hogan on WHOM. Hogan will be heard in news comment nightly at 11:15. . . . Louise Carlyle will be guest vocalist on "Hour of Charm" Sunday.

George Lauds Films At 'Wind' Ceremony

(*Continued from page 1*)

of our own nation, but the people of all nations."

The Senator, who made the presentation on behalf of David O. Selznick, was accompanied by Carter Barron, division manager here for Loew's Theatres. "Gone With the Wind," said Senator George, "fittingly merits a niche in our national archives which, are dedicated to the preservation for posterity of those creative works which serve as a testimonial to progress, a better understanding and a more abundant enjoyment of life."

Mexico City Theatre Admission Cut Asked

Mexico City, Jan. 22.—The Senatorial committee of three which has been investigating numerous complaints of the public that local film houses are profiteering has asked the Municipal Government to order the theatres to reduce prices and to enforce the regulation that forbids theatres to sell tickets after all their seats are occupied.

Local exhibitors are cooperating with the Municipal Government in its campaign to stamp out the practice of graft by its employees. Samuel Granat, who operates a circuit of 14 houses here, had a civic Amusements Department inspector arrested because he tried to seek a bribe in connection with the Cine Colonial.

Plans Toledo Station

Toledo, O., Jan. 22.—Application has been made to the FCC for a new 600-kilocycle, 1,000-watt station, WTBS, to operate 24 hours daily. Officers of the $100,000 corporation are: Paul Block, Jr., president, son of the publisher of the *Blade;* Daniel Nicoll, F. E. Cotrell, Frank S. Newell, vice-presidents; William K. Block, secretary; Amos W. Harnish, assistant secretary, and Stanley C. Speer, treasurer.

Gets Television Permit

Washington, Jan. 22.—Farnsworth Television & Radio Corp. today was granted a construction permit for a television station at Fort Wayne, Ind., by the FCC. The station will operate with 1,000 watts power in the 66-72 m.c. channel.

FM Station Sought In Lansing, Mich.

Washington, Jan. 22.—Applications from WJIM, Inc., Lansing, Mich., for a new FM station on 45,100 kilocycles, to cover 5,341 square miles with a population of 421,000, and from Station WAAF, Chicago, for increase of day power from 1,000 to 5,000 watts have been received by the Federal Communications Commission.

It was also announced that Feb. 13 had been set tentatively as the date for a hearing on the aplications of Edward J. Doyle for a new 1,340-kilocycle, 1,000-watt station at Rochester, N. Y., and Station WSAY, Rochester, for change of frequency from 1,210 to 1,340 kilocycles and increase of power from 250 to 1,000 watts, and March 21 for hearing the application of Station KFJI, Klamath Falls, Ore., for change of frequency from 1,210 to 600 kilocycles and increase of power from 100 watts to 500 watts night, 1,000 watts day.

Install Officers of Film Trade Board

New officers of the New York Film Board of Trade yesterday were installed at the organization's offices in the Paramount Building. The officers, ex-officers and members, numbering about 35, later had dinner at Le Cafe Arnold and attended the Sonja Henie ice show at Madison Square Garden.

The officers, elected Jan. 10, are Robert S. Wolff of RKO, president; Joseph J. Lee, first vice-president; Ben Abner, second vice-president; David A. Levy, treasurer; Robert J. Fannon, secretary, and Edward Bell, sergeant-at-arms.

RKO Decree Meet Called By Schaefer

(*Continued from page 1*)

at the meeting. Its inclusion on the list is taken as formal confirmation that RKO does not plan to withhold the picture from release.

Other home office executives who will attend the meeting are: Bob Mochrie, Eastern division manager; Cresson Smith, Western division manager; A. A. Schubart, manager of exchange operations; S. Barret McCormick, advertising and publicity director; W. H. Clark, treasurer; Phil Reisman, foreign department head; Harry Michalson, short subjects sales manager; Leon Bamberger, M. G. Poller, William Dahler, William Horne, Lou Miller, W. J. McShea and E. J. Smith, Jr.

District managers who will attend are: Herb MacIntyre, Dave Prince, L. E. Goldhammer, Walter Branson, Charles Boasberg, Nat Levy and Gus Schaefer. Others from the field will be Bob Wolff and Sol Sachs.

The meeting will recess at noon in time for those present to attend the Ampa luncheon at the Hotel Edison at which W. G. Van Schmus, managing director of Radio City Music Hall, will be guest of honor.

FCC Revokes Two Stations' Licenses

Washington, Jan. 22.—Licenses of Stations WTMC, Ocala, and WDLP, Panama City, Fla., today were ordered revoked by the Federal Communications Commission on the ground of concealment of ownership.

The commission charged that the real party in interest is John H. Perry of New York and Florida, rather than the persons and corporations declared to be the owners of the two stations, and that his interest had been "deliberately concealed."

Mervyn LeRoy Is Sued

Mervyn LeRoy was named defendant yesterday in a suit filed in N. Y. Supreme Court by Leonard Goldstein, which seeks $25,000 damages for alleged breach of contract. Goldstein claims he was hired by Kenny Baker as manager, that subsequently he brought suit for his commissions and that LeRoy persuaded him to drop the suit on the alleged promise that LeRoy would pay him a fair sum.

Pep Club Party Feb. 14

A musical revue entitled "The Gofers Go To Town" will be staged by members of the Paramount Pep Club at the organization's Valentine's Day celebration at the Hotel Capitol Feb. 14. Also on the program are a buffet supper and dancing.

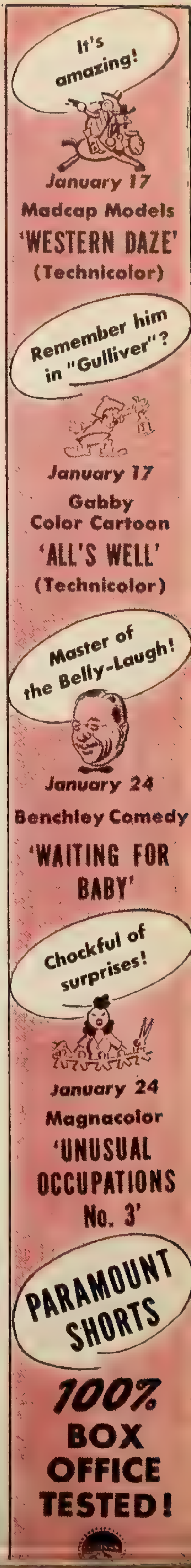
Filmarte Is Leased

Foremost Films, Inc., of which Mrs. Reda Kovacs is president and J. David Weiss is secretary and treasurer, has leased for one year the Filmarte Theatre on West 58th St. for the exhibition of French and British pictures. The first will be "Hatred," a French importation starring Harry Baur, which will open Saturday.

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Dec. 27	Arizona (O) *Jean Arthur* *William Holden*	Keeping Company (D) 116 *John Shelton*	Her First Romance (D) *Edith Fellows* *E. Evans*	North West Mounted Police (D) 3946 Love Thy Neighbor (C)	Bowery Boy (D) *Dennis O'Keefe* *L. Campbell*	Kitty Foyle (D) 112 *Ginger Rogers* *Dennis Morgan*	Chad Hanna (D) 123 *Henry Fonda* *Dorothy Lamour*	Thief of Bagdad (D) *Sabu* *June Duprez*	Invisible Woman (C) *J. Barrymore* *Virginia Bruce*	Santa Fe Trail (D) 551 *Errol Flynn* *O. De Havilland*
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) *Fred Astaire* *Paulette Goddard*		Convoy (D) 161 *Clive Brook* *John Clements*	Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*		Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) *H. Bogart* *Ida Lupino*
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*	Ridin' the Cherokee Trail (O) *Tex Ritter*	You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	The Bad Man (O) *Wallace Beery* *L. Barrymore*		The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	Bad Man from Rio (O) *Don "Red" Barry* *V. Carroll*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Trial of Mary Dugan (D) *Robert Young* *Laraine Day*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*	Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) *3 Mesquiteers*	Scattergood Baines (D) *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)		Sign of the Wolf (D)	In Old Colorado (O) *William Boyd* *Russell Hayden*	Citadel of Crime (D) *John Wayne* *Frances Dee*	Citizen Kane (D) 118 *Orson Welles*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	
Mar. 7		Andy Hardy's Private Secretary (C) *Rooney-Stone*		The Hard-Boiled Canary (M) *Allan Jones* *S. Foster*		Play Girl (D) *Kay Francis* *James Ellison*	Tobacco Road (D) *C. Grapewin* *Gene Tierney*		Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	
Mar. 14						Devil and Miss Jones (C) *Jean Arthur*	Murder Among Friends (D) *M. Weaver*		Model Wife (C) *Joan Blondell*	



It's amazing!
Remember him in "Gulliver"?
Master of the Belly-Laugh!
Chockful of surprises!
PARAMOUNT SHORTS
January 17
Madcap Models
'WESTERN DAZE'
(Technicolor)

January 17
Gabby
Color Cartoon
'ALL'S WELL'
(Technicolor)

January 24
Benchley Comedy
'WAITING FOR BABY'

January 24
Magnacolor
'UNUSUAL OCCUPATIONS No. 3'

100% BOX OFFICE TESTED!

FAME

The Audit of Personalities

SEVENTH ANNUAL EDITION IS NOW IN CIRCULATION

THE INTERNATIONAL INDEX TO PRODUCTION, TALENT AND TECHNICAL VALUES IN THE WORLD OF ENTERTAINMENT . . .

SCREEN ◆ CONCERT ◆ RADIO

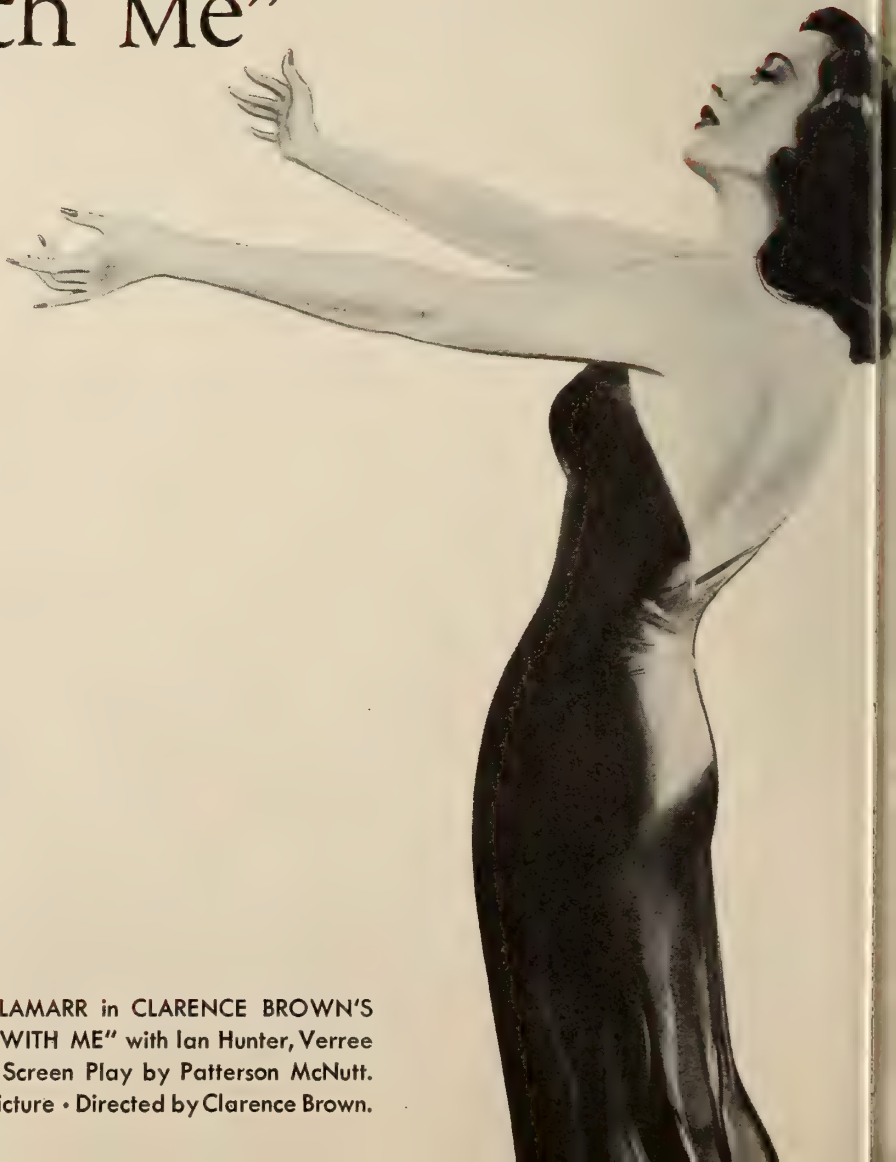
One Dollar the Copy

EDITED BY TERRY RAMSAYE

QUIGLEY PUBLICATIONS
ROCKEFELLER CENTER, NEW YORK

OH!

"Come Live With Me"
was screened
in the M-G-M
projection room
yesterday and this is
just to go on record
by saying "Oh!"
Also "Ah!"
And "Um-m-m-m!"



JAMES STEWART, HEDY LAMARR in CLARENCE BROWN'S production of "COME LIVE WITH ME" with Ian Hunter, Verree Teasdale, Donald Meek • Screen Play by Patterson McNutt. A Metro-Goldwyn-Mayer Picture • Directed by Clarence Brown.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 17 NEW YORK, U.S.A., FRIDAY, JANUARY 24, 1941 TEN CENTS

Capra Forms Own New York Business Unit

Affiliated With Selznick Enterprises Here

Frank Capra

A sales supervising department, similar to those enjoyed by United Artists producers, is reported being set up by Frank Capra and Robert Riskin in New York for their Warner Bros.' picture, "Meet John Doe." The department will be an independent unit although associated with the David O. Selznick enterprises. Otherwise all sales will be handled by Warner Bros. The department which Capra and Riskin are organizing through Selznick, will not do any selling.

What Capra and Riskin are doing, it is said, is in line with their contract with Warner Bros., on the film, "Meet John Doe," and under the terms of which they have the right to approve terms.

There has been no indication what terms will be asked by Warner Bros. on this picture. Riskin has been in New York for several days and has held many conferences with Warner Bros. officials, notably Gradwell Sears, and Joseph Bernhard.

The new sales supervising unit which the Capra-Riskin forces are setting up, will have its offices together with the Selznick company in Rockefeller Center.

Sellout of 'Wind' Leads Broadway

Broadway was treated to balmy Spring weather yesterday following a day of freezing cold on Wednesday but grosses in the first runs stood up against the impact.

"Gone With the Wind" opened its return engagement yesterday at the Capitol at regular prices and promptly sold out for its first two performances.

"The Philadelphia Story," now in its fifth week with a stage show at the Music Hall drew an estimated $89,000 for the fourth week of its

(*Continued on page* 10)

Walker Nomination Is Sent to Senate

Washington, Jan. 23.—President Roosevelt today sent to the Senate for confirmation the reappointment of Frank C. Walker as Postmaster General.

The nomination was necessitated by a quirk of law which requires that the Postmaster General, unlike other Cabinet members, be appointed for a specific term. The term normally is four years, and Walker's original appointment to succeed James A. Farley expired with President Roosevelt's last term.

RKO Sales Setup To Remain As Is Under the Decree

RKO sales operations under the consent decree will not necessitate a realignment of the distribution company's operating setup, such as those being undertaken by M-G-M and Paramount, a company spokesman said last night at the close of the meeting of home office executives and district sales managers at the Waldorf-Astoria.

Moreover, it was said, changes of managers or personnel are

(*Continued on page* 10)

ASCAP-EXHIBITOR ALLIANCE WEIGHED

FCC to Look At Television

Members of the FCC will visit New York today for a last minute look at television developments before hearing the report of the National Television Systems Committee in Washington on Monday.

The tour will start this morning at the Allen B. DuMont Laboratories studio where the commissioners and the press will view DuMont's latest model of a 20-inch screen home receiver. DuMont will show his model for receiving images on flexible standards, a screen with highly retentive light qualities, and 625-line definition.

From there the party will go to RCA headquarters where they will see a model of the new 18-inch home receiver, a telecast relayed without telephone wires from Camp Upton, 100 miles away, and a studio variety show. After lunch, RCA will demonstrate its large screen theatre size television at the New Yorker Theatre. Bell Laboratories will show the possibilities of network television by use of the coaxial cable by demonstrating a studio show which will originate in New York, be carried

(*Continued on page* 10)

Publishers' Tieup With Theatre Sought to Boost Songs

By SHERWIN A. KANE

Ascap officials expressed interest yesterday in proposals made by publisher members for an alliance with motion picture theatres nationally as a means of "plugging" Ascap songs. Theatres, in return, they said, would benefit through becoming known as the outlets for the new popular music from the nation's best known song writers.

Whether such an alliance, if it were to materialize, would hold promise of concessions to exhibitors in the way of reduced music taxes or consolidation of that tax with film rentals, could not be learned.

Ascap officials said the proposals had not advanced "that far" and the subject of exhibitor cooperation with Ascap in the Broadcast Music, Inc., warfare was itself only in the discussion stage.

It was explained that the idea for such Ascap-theatre cooperation had come from exhibitors themselves. A number of exhibitors, acting independently, already are engaged in exploiting their theatres to the public as places where the old and new song favorites may still be heard and sung by the public. Spontaneous movements of this kind have reached significant proportions in Pittsburg and Chicago, it was said, and individual instances

(*Continued on page* 10)

Theatre Has Public Trust Ampa Told by Van Schmus

By SAM SHAIN

W. G. Van Schmus

Ampa was honored yesterday with the presence of W. G. Van Schmus, managing director of Radio City Music Hall, as guest-of-honor at the society's regular bi-weekly luncheon meeting, held at the Hotel Edison. Van Schmus managed the occasion with his usual good taste and genial manner. In receiving his Ampa "degree," the head of the most famous theatre in the world delivered a "baccalaureate" address which was described by those who heard him as both "entertaining and instructive."

His theme was that the theatre operator has a public trust. Also, he has a responsibility to the makers of good pictures. Not only must the theatre operator recognize the growing intelligence of the public, but he also must match better pictures by better appreciation of the public. If he does this, the theatre operator will then have realized the fullest results from his box-office, Van Schmus told his audience.

Department store merchants are smart, Van Schmus stated, because their advertising is always in good taste and because they do not exaggerate values. Having discovered that the public was smarter than they were and that the public would chal-

(*Continued on page* 8)

Balaban Stresses Television Value

CHICAGO, Jan. 23.—The value of television in building up theatre receipts was described here today by Barney Balaban, Paramount president.

"Future programs may be so arranged that a television broadcast will be part of the production," he said. "Instead of being competition television may be an asset to theatre business. On nights when a big fight is being held, or perhaps the President is making an important address, imagine how much more business could be obtained by televising the event. Instead of a patron sitting at home and hearing an audible broadcast he will be able to come to our theatres and not only hear the broadcast but see the entire show on the television screen. Perhaps newsreels, and other

(*Continued on page* 10)

Coast Flashes

Hollywood, Jan. 23.—The Hitching Post, Hollywood's first theatre devoted exclusively to westerns, will open tomorrow night with a street parade of horsemen and civic dignitaries. The opening program for the house, the former Teleview newsreel theatre, will consist of "Melody Ranch" and "Robin Hood of the Pecos."

Boone Mancall will leave for New York by train tomorrow night to discuss a releasing deal for a series of short subjects which he plans to produce upon completion of two single reel novelties now in work.

Sidney R. Kent and Herman Wobber will leave for New York by train tomorrow night following two weeks of studio conferences related to production and sales operations under the consent decree. The conferences have not been conclusive, it was said, and will be resumed here during the last week in March with the same officials in attendance, when, it is believed, final operating policies will be determined. Kent will stop off in St. Louis for a day en route East.

Felix Jenkins and Fred Pride, 20th Century-Fox attorneys, will leave here this weekend for San Francisco to begin a seven weeks' tour of the company's exchanges to instruct the field sales personnel in their responsibilities under the consent decree.

The Screen Actors Guild today denounced the Voight Bill, which is pending in the State Assembly and which would regulate agents and their clients. The Guild's statement said that the measure would deprive actors of constant representation and would leave them "at the mercy of open-field price-cuttings of salaries."

The testing of planes by San Fernando Valley aircraft plants forced Republic today to abandon exterior set shooting after 39 interruptions in one day on "Sis Hopkins," a high budget production. Writers were ordered to concentrate on scripts calling for interior scenes and plans were made to shoot exteriors on locations.

Warners and Universal have also been bothered by the plane tests but have not altered schedules.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

Nate J. Blumberg, Universal president, will arrive from an extended Coast visit tomorrow, following a stop-over in Chicago yesterday.

•

Matthew J. Fox, Universal vice-president, will arrive from the Coast by train on Monday.

•

B. W. Pierce, manager of the Gadsden Theatre in Gadsden, Ala., is under treatment at Holy Name of Jesus Hospital there following an automobile accident.

•

G. L. Carrington, vice-president and general manager of Altec Service Corp., has returned here after a month's stay on the Coast.

•

Amelia Martire, secretary to Bert Sanford at Altec, will be married to Martin Bender, Altec engineer, next Thursday. They will honeymoon in Nassau.

•

Alfred E. Green, Columbia director, has returned to Hollywood from Washington.

•

Virginia Bruce has left New York for Hollywood.

•

Lowell Calvert has gone to Chicago.

•

William F. Rodgers, M-G-M general sales manager, is expected from the Coast on Monday, following a brief stop-over in Chicago.

•

Carl Leserman, Mort Blumenstock, Mitchell Rawson and Jerry Lewis returned to the Warner home office today from Washington.

•

Leon Schlesinger, Russell Holman, William A. Scully, George Skouras, at Nick's Hunting Room in the Astor yesterday for lunch.

•

Charles Paine, Sam Spring, Arthur Lee, Charles Bonn and Donald Woods having lunch at the Tavern yesterday.

•

Marvin Schenck, Eugene Picker, William Moses and Abe Lastfogel lunching yesterday at Lindy's (next to the Rivoli).

•

Harry Brandt, Martin Moskowitz, Joseph Moskowitz and Jack Goetz at Lindy's (51st St.) for lunch yesterday.

•

Frank Phelps, Clayton Bond, Toby Gruen, Vinton Freedley, Lee Tracy and Frank Parker lunching at Sardi's yesterday.

Rowland Guest at Music Hall Party

Richard A. Rowland, producer of "Cheers for Miss Bishop," United Artists release, was the guest of honor at a party last night in the Radio City Music Hall, following a screening of the Rowland picture in the preview room of the theatre. W. G. Van Schmus, managing director of the Music Hall, acted as host.

Among the guests were Colvin Brown, Leo Brecher, Gus Eyssel, Mr. and Mrs. Maurice Kann, Mr. and Mrs. Max A. Cohen, Mr. and Mrs. Clarence Eiseman, Mr. and Mrs. Leo Justin, Mr. and Mrs. Harry Gold, Monte Proser, Jack Alicoate, Sam Shain, Monroe Greenthal, Charles Stern, Bert Stern, Mr. and Mrs. Harry Brandt, George Skouras.

Hearings on S. P. G. Demand Open Here

Formal hearings on the demand of the Screen Publicists Guild for recognition as collective bargaining agency in the advertising and publicity offices of the eight major companies started yesterday at the National Labor Relations Board offices, with Daniel Baker as trial examiner.

Warners and Loew's won a severance from the trial of the remaining six companies on the grounds that necessary witnesses and attorneys were out of town. Joseph Gould, S.P.G. president, was the only witness for the day.

Principal contentions center around which employes should be included in the appropriate units to vote on their selection of a union to represent them.

Arnaz at Miami Beach

Miami Beach, Jan. 23. — Desi Arnaz, Cuban star of Hollywood's recent "Too Many Girls," has returned to appear at the Rumba Casino.

Defense Is Aiding Grosses: Masters

Increased theatre attendance resulting from defense program spending is already apparent in the large industrial areas, Haskell M. Masters, Western and Canadian sales manager for United Artists, said yesterday on his return to the home office from a three-week tour of exchanges in his territory.

Masters visited exchanges as far West as Omaha. He plans to leave in a week or 10 days for a tour of the Far Western exchanges, his first since assuming his new post with the company.

Greenthal Leaving For Visit to Studio

Monroe Greenthal, United Artists advertising and publicity director, will leave for the Coast tonight or tomorrow by plane. He will be away about two weeks.

Greenthal will attend screenings of the company's forthcoming product and discuss campaigns on the pictures with producers.

Officials Sentenced For Ignoring Writ

Birmingham, Ala., Jan. 23.—A judge in Circuit Court here sentenced four city officials to 48 hours in jail for allegedly disregarding an injunction issued to forbid seizure of the film, "French Girl's Club," which was being shown at the Galax Theatre.

The officials are Commissioner of Public Safety E. L. Connor, Police Chief T. A. Riley, City Attorney J. H. Willis and Assistant City Attorney John S. Foster. The defendants appealed to the State Supreme Court for a review of the contempt decision, which stayed the sentence.

Newsreel Parade

The trip to England of Wendell L. Willkie attracted unanimous attention in the weekend issues of the newsreels. Kennedy's opinion of the lend-lease bill, and, less significant, the opening of Sonja Henie's ice show at Madison Square Garden, likewise received space. The contents of the reels:

MOVIETONE NEWS, No. 40—Willkie goes to England. Kennedy testifies before House committee. Duchess of Gloucester reviews women's air auxiliary. Athens celebrates Greek victories. Plane motors get once-over at Randolph Field, Texas. Parachute troops trained at Fort Benning, Ga. Florida fashions. Sonja Henie ice show opens. Diving competition in Mexico.

NEWS OF THE DAY, No. 238—Canadian troops defend Iceland. U. S. debates lend-lease bill; Kennedy testifies in Washington. Willkie leaves for England. Air infantry trained at Fort Benning, Ga. Young Rockefeller joins Army. Mexican Grand National handicap. Labrador retrievers display abilities. Sonja Henie ice show at Madison Square Garden.

PARAMOUNT NEWS, No. 43—Navy torpedo boats en route South. Winthrop Rockefeller joins Army. Willkie leaves for England. Kennedy voices opinion of lease-lend bill. Ford opens school for Navy enlisted men. Canadian troops occupy Iceland. Desert tanks used in English African campaign. British diplomats see Turkish army prepare. Churchill rallies English women. Free-for-all wrestling match in Florida. Bob Feller signs 1941 baseball contract. Sonja Henie opens ice show in New York.

RKO PATHE NEWS, No. 43—Willkie departs for England. British set up outpost on Iceland. Everglades yield bumper sugar crop. Sonja Henie opens ice spectacle. War-torn nations get Red Cross aid. Flower queen crowned in Florida. Ford opens school for Navy men. Wrestlers in match at Lake Worth, Fla. Motorcycle troops train at Fort Benning, Ga.

UNIVERSAL NEWSREEL, No. 948—Iceland now a British stronghold. Parachute troops train in Georgia. California plant turns out bombers. Motorcycle troops in training. Willkie departs for England. Build planes on Coast for England. Greek Red Cross ship sails. Winthrop Rockefeller joins Army. Texas attends Governor's second inaugural. Child fashions. "Jalopy" derby is held in San Antonio. Free-for-all wrestling bout in Florida.

K-A-O Dividend Set

The board of directors of Keith-Albee-Orpheum Corp. has declared a dividend out of operating surplus of $1.75 per share on the seven per cent cumulative convertible preferred stock for the quarter ended Dec. 31, 1938, payable April 1, 1941, to stockholders of record on March 14.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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The Peak of Excitement

— and a
BUSINESS
PEAK,
too!

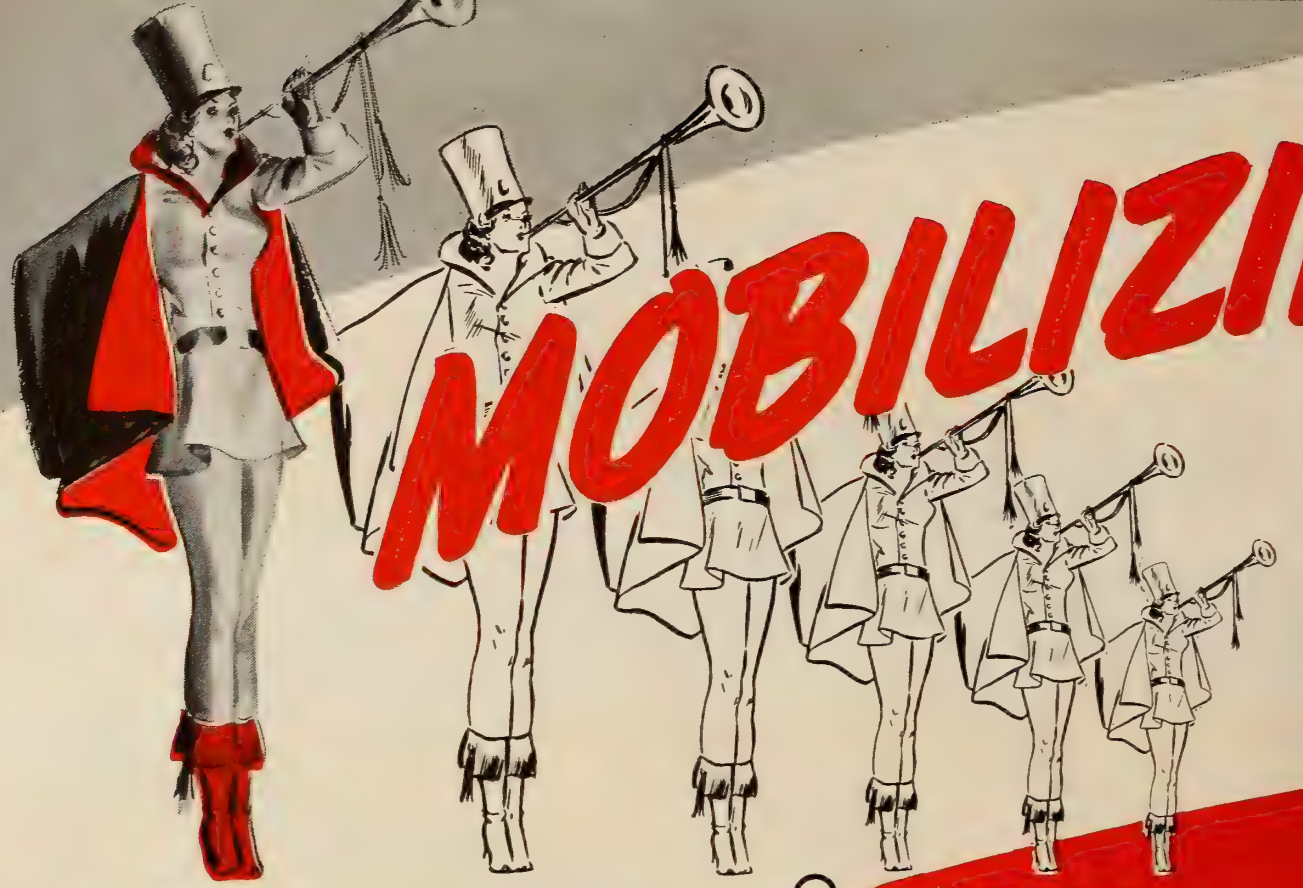
'HIGH SIERRA'
OPENS
MEMPHIS
HARTFORD
SPRINGFIELD, Mass.
BIGGER THAN 'DRIVE BY NIGHT'

Today in
New York
and a dozen
other keys!

HIGH SIERRA
starring IDA LUPINO
HUMPHREY BOGART with
Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers
Directed by RAOUL WALSH
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

WARNERS, producers.

MOBILIZING



★ INGRID BERGMAN AND WARNER BAXTER

in

"ADAM HAD FOUR SONS"

★ *The greatest Blondie of them all –*

"BLONDIE GOES LATIN

The Bumsteads Go Musica

★ "TEXAS"

with

WILLIAM HOLDEN
WARREN WILLIAM
and all-star cast . . .

★ FRANCHOT TONE AND JOAN BENNETT

in

"A GIRL'S BEST FRIEND IS WALL STREET

"ALL-OUT" AID TO EXHIBITORS!

Columbia Swings Into High-Powered Action!

IRENE DUNNE AND CARY GRANT
in
George Stevens'
"PENNY SERENADE"

GEORGE BRENT AND MARTHA SCOTT
in
"THEY DARE NOT LOVE"

HERBERT MARSHALL AND VIRGINIA BRUCE
in
"Senate Page Boys"
Tentative Title

JANE WITHERS AND JACKIE COOPER
in
"Her First Beau"

DATE 'EM NOW *at your* COLUMBIA EXCHANGE!

A picture audiences will see wi

DAVID L. LOEW · ALBERT LE

present

SO ENDS OU

starring

FREDRIC MARCH ★ MARGARET SULLA

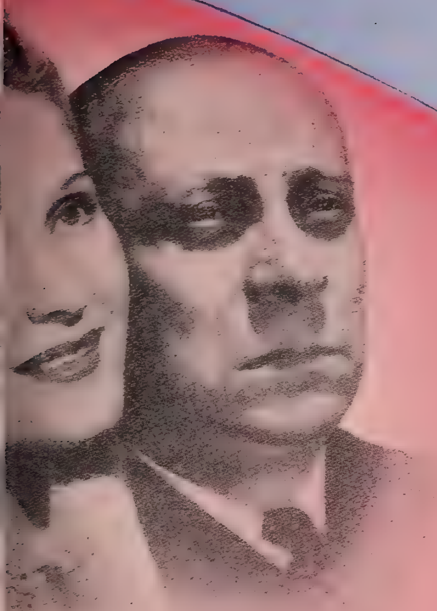
with **GLENN FORD ★ ANNA STEN** *and* **ERICH**

Directed by John Cromwell · Screenplay by Talbot Jenn

Released thru UNITED ARTI

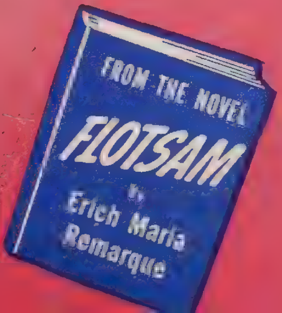
eir hearts

NIGHT



FRANCES DEE

ROHEIM


FROM THE NOVEL
FLOTSAM
by
Erich Maria Remarque

Two
GREAT LOVE STORIES

Six
GREAT PERFORMANCES

Fredric March
star of "A Star is Born",
as Steiner

Margaret Sullavan
star of "The Mortal Storm",
as Ruth

Frances Dee
star of "Wells Fargo",
as Marie

Glenn Ford
the screen's newest romantic
discovery, as Kern

Anna Sten
glamorous actress in her
greatest screen role!

Erich von Stroheim
the man you love to hate,
as Brenner

Short Subject Reviews

"Information Please, No. 5"

(RKO-Pathe)

With Wendell L. Willkie again as the guest, the ever-popular radio program is reduced to sight and sound, in a series of questions which are not too difficult, and no more entertaining than necessary. The usual trio of experts—Franklin P. Adams, Oscar Levant and John Kieran—is on hand, with Clifton Fadiman as master of ceremonies. Willkie displays an almost juvenile eagerness to answer questions whose answers he knows. Running time, 11 mins.

"Snow Eagles"

(RKO- Pathe)

On the slopes of the beautiful snow-covered mountains of Idaho, near Sun Valley, ski champions demonstrate their breath-taking skill in a vivid display, in this number of the Sportscope series. Otto Lang, famed instructor, guides the novice through the elements of handling the skis, then with three companion-instructors sails down the steep, snowy slope. Running time, 9 mins.

"Meet the Stars"

(Republic)

Harriet Parsons found interesting material for this second of her "Meet the Star" series at Town House, Los Angeles, where former Wampas stars and noted directors are seen judging the talents of young feminine aspirants to stardom, each of whom gives a brief but entertaining performance. The short is novel and engaging and should appeal to most audiences. Running time, 11 mins.

"Picture People"

(RKO-Pathe)

Highlight of this subject on personalities in Hollywood is a rehearsal of their radioscript of John Barrymore and Rudy Vallee in the kitchen of the Vallee home. In view of the radio show's popularity, this appears susceptible of selling. Also seen are Rita Hayworth, Tim Holt, William Gargan and Irene Rich in various informal poses. Running time, 10 mins.

"The Fired Man"

(RKO)

Leon Errol, in another of his usual domestic scrapes, provides a few laughs. He is the butt of the department store's complaint department, being "fired" to keep customers. But when a sympathetic purchaser invites him to the seashore with the girl he thinks is Errol's wife, and the real spouse appears on the scene, Errol's bandy-legged complications ensue. Running time, 20 mins.

New Houses in Mexico

MEXICO CITY, Jan. 23.—Two new Mexican film houses include one at Villa de Rio Blanco, in Vera Cruz State, built by organized workers, and another here, where the historic Teatro Hildago is being converted by the Ministry of Public Education into a film house for domestic product.

Theatre Has Public Trust Ampa Told by Van Schmus

(Continued from page 1)

lenge exaggerations, the department store merchants discarded such methods of attracting trade 40 years ago. What the department store merchants learned and what they are doing can be utilized in good stead by the picture business.

"Why praise bad pictures equally with good ones?" Van Schmus asked.

"When pictures are showing the improvements which they are, we who stand between the producer and the public have a responsibility to those who had the courage to make them. We must stop looking at things from our own ends. Our big task is to what extent we can match better pictures by better appreciation of the public."

In the course of his address he recalled a recent statement by Barney Balaban, president of Paramount, relative to a "lost film audience of 30,000,000 persons," for which the industry must find means to bring back into the theatre.

The best way, in the opinion of Van Schmus, to accomplish such a purpose is by honest advertising and recognizing the intelligence of the public.

Reads Trade Papers

Van Schmus also had a word or two to say about trade papers.

"I read the trade papers and believe what I read," he said.

He glossed over his eight-year career as head of the Radio City Music Hall, recalling that he first walked into that theatre, as an official, on March 4, 1934. On that day, the banks of the nation were ordered closed, and Franklin D. Roosevelt was inaugurated for his first term as President of the United States.

"An easy date to remember," mused Van Schmus.

"There were those who probably looked upon me as a 'schlemiel' (he learned that word in the department store business, he said) and that I didn't know anything about show business. Well, they were right—by a million miles, but it was that very ignorance which helped me. We decided to find out what the public wants.

"In those early years of my show business career, whenever I would ask someone the reason for something—the answer would invariably be—it was always this way.

"Today, I wouldn't take a back seat to anybody for my faith, enthusiasm and optimistic outlook of the picture business. I have always been treated with courtesy, respect and great consideration in this business, and I wouldn't wish to be associated with any other.

"In 1934, when I started, I got tired of superlatives in advertising. Many of those who are now my friends thought I was crazy. That couldn't be done. At any rate, we did. We tell the people exactly what they are going to see in the choicest language we can think of. It is our policy and we are consistent in that policy—you have to be consistent in a policy once you have embarked upon one, if you expect to succeed.

"Have we succeeded?

"Well, every once in a while, some theatre or other will make use of advertisements just like ours."

Against Double Features

He said he was against double features because the "psychology of double features is wrong."

"The human mind," he stated, "cannot do justice to a melodrama and a simple love story, at one and the same time."

In introducing Van Schmus, Monroe Greenthal, director of advertising and publicity of United Artists, revealed that in the eight years of the Radio City Music Hall that theatre has played to 48,112,000 persons and grossed $34,000,000.

On the dais with Van Schmus besides Greenthal were Gus Eyssell, assistant managing director; Leon Bamberger, president of Ampa, and members of Van Schmus' executive and creative staff, including Russell Downing, Florence and Hattie Rogge, Fred Lynch, Bruno Maine, Eugene Braun, Gene Snyder, Maurice Baron and Leon Leonidoff. Eyssel introduced these guests to the audience.

Bamberger presented Van Schmus with an Ampa token, in honor of the occasion, five huge cigars, with appropriately written greeting attached to each and composed by Si Seadler, commemorating the unusual five-week run now enjoyed by "Philadelphia Story" at the Music Hall.

About 200 persons were in attendance. Among them were George J. Schaefer, president of RKO; Ned Depinet, David Hopkins, Ed Churchill, Bob Weitman, Maurice Kann, Armando, Ben Washer, Emanuel Silverstone, David Lipton, Andy Smith, Phil Reisman, Martin Quigley, Jr., Phil Giersdorf, Harry Kosiner, Louis Rydell, James Cron, Ray Gallagher, Herbert Fecke and Bill Schneider.

2 Atlanta Houses To Change Policy

ATLANTA, GA., Jan. 23.—Lucas and Jenkins will change the policy of two downtown theatres within two weeks. The Paramount, which has been playing first run shows of a minor classification will begin holding over for three days the Fox Theatre's first run pictures and will play a first run "B" for the remainder of the week.

The Roxy, which has been holding over the films from the Fox, will assume the former Paramount policy.

Garyn Services Today

ST. LOUIS, Jan. 23.—Funeral services will be held here tomorrow morning at the Arthur Donely Funeral Parlors for Walter J. "Pat" Garyn, veteran film salesman, who died in Dallas on Wednesday of heart disease.

'Dictator' in Java

"The Great Dictator" will open in three theatres in Batavia, Java, on March 4, and in four theatres in Soerabaja on March 5.

Blowing Again

The return of "Gone With the Wind" to Broadway, where it opened at the Capitol yesterday, according to the management and M-G-M, resulted in: (1) a call to the 54th St. station for reserves to handle the crowds, claimed bigger than last year's opening, and (2) a repeat for Usher Danny McTiernan, whose arm was dislocated last year handling the crowds and whose arm was sprained yesterday doing the same thing.

Australian Houses Not Affected by War

WASHINGTON, Jan. 23.—The war in Europe has had virtually no effect on the motion picture industry in Australia, according to a report on conditions there to the U. S. Department of Commerce.

Theatres, it is reported, continue to operate normally, and are being patronized as well as before September, 1939, when war was declared. However, the war has resulted in the restriction of dollar exchange by American companies. Under war regulations, all dealings in overseas exchange are prohibited except through official channels, the Commonwealth Bank or its agents.

There is no restriction on the number of American films which may be imported into Australia. All British films are imported duty-free. All pictures are subject to military as well as normal Commonwealth film censorship. The military censor has interfered to virtually no extent with American product.

Practically all pictures shown in Australia are imported. British films have provided the only serious competition to American pictures in Australia in recent years. Only four features were produced in the Commonwealth in 1940, one by Cinesound Productions, chief Australian producer; one by Expeditionary Films, Ltd., and two by Famous Features, Ltd. All four were produced with Government aid, under the New South Wales law which permits the State Treasurer to guarantee bank loans to producers.

There are approximately 1,500 theatres in Australia, all wired, plus a number of touring shows. The total of theatre receipts has been roughly estimated at about $28,000,000 annually.

Michigan Bill Aims New Tax at Ascap

LANSING, MICH., Jan. 23.—A 25 per cent franchise tax on agencies collecting royalties within the state on copyrighted music is proposed in a bill introduced in the legislature today by Representative James B. Stanley of Kalamazoo, who said that he had Ascap in mind.

Ringenberger Dead After Brief Illness

CINCINNATI, Jan. 23.—C. Henry Ringenberger, 34, studio control engineer for Crosley Corp., died in the Jewish Hospital here today.

'Foyle' Holds Los Angeles Pace, $18,000

LOS ANGELES, Jan. 23. — "Kitty Foyle" and "Ellery Queen, Master Detective" led the field comparatively here, taking a total of $18,000 at two houses, $9,000 at the Hillstreet and the same figure at the Pantages. "Cheers for Miss Bishop" tallied $6,500 at the 4 Star.

Estimated takings for the week ending Jan. 22:

"Hudson's Bay" (20th-Fox)
"Gallant Sons" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $11,500. (Average: $12,500)

"Cheers for Miss Bishop" (U. A.)
4 Star—(900) (44c-55c) 7 days. Gross: $6,500. (Average, $3,250)

"Kitty Foyle" (RKO)
"Ellery Queen, Master Detective" (Col.) 7 days
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average: $6,500)

"Hudson's Bay" (20th-Fox)
"Gallant Sons" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $15,500. (Average: $14,000)

"Kitty Foyle" (RKO)
"Ellery Queen, Master Detective" (Col.) 7 days
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average: $7,000)

"Love Thy Neighbor" (Para.)
"Texas Rangers Ride Again" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, 3rd week. Stage: Peter Lind Hayes & Fachonettes—Fid Gordon, Rube Wolf's Orchestra-Harry Fields. Gross: $14,000. (Average, $18,000)

"Honeymoon for Three" (W. B.)
"Here Comes the Navy" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $9,400. (Average, $14,000)

"Honeymoon for Three" (W. B.)
"Here Comes the Navy" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $12,300. (Average, $12,000)

'Neighbor' $18,700 Washington's Best

WASHINGTON, Jan. 23.—Despite a few days of cold, icy weather, grosses held up well, topped by Warners' Earle with $18,700 for "Love Thy Neighbor" and Ray Kinney's Orchestra on the stage. Loew's Capitol took $16,500 with "Go West" and Johnny Downs on the stage.

Estimated takings for the week ending Jan. 14-16:

"Love Thy Neighbor" (Para.)
EARLE — (2,200) (28c-39c-44c-66c-77c) 7 days. On stage: Ray Kinney & Orchestra, Bob Dupont. Gross: $18,700. (Average, $15,000)

"Comrade X" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $10,000)

"Kitty Foyle" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 3rd week. Gross: $10,000. (Average, $6,000)

"Go West" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-44c-66c-77c) 7 days. On stage: Johnny Downs, Collins & Peterson and others. Gross: $16,500. (Average, $16,500)

"Land of Liberty" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days. Gross: $4,000. (Average, $4,000)

"Santa Fe Trail" (W. B.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days. Gross: $6,000. (Average, $4,500)

Close Deal on 'Berlin'

Pathe Laboratories' Atlanta franchise holder, Ike Katz of Producers Releasing Corp., has closed a deal on "Beast of Berlin" with the Publix Wilby Kincey Circuit for their houses in North and South Carolina.

Feature Review

"Ridin' on a Rainbow"

(Republic)

STARRING Gene Autry, this conforms to the formula used in the making of previous Autry vehicles, which, as indicated by ballot, proved profitable for many showmen. Here the singing sagebrush star has splendid support, particularly by a vivacious and talened youngster, Mary Lee, who also sings.

Outdoor melodramatics and music are interwoven in the film with Autry seen as the personable cowboy who vanquishes the lawbreaker. The picture opens with him depositing a large sum of money in a local bank, which is subsequently robbed and its president murdered. Discovering one of the robbers to be a showboat entertainer, Autry joins the show and is finally led to the money and the outlaws. The latter are brought to justice after a battle with the ranchers.

Autry sings often and pleasantly, his rendition of the title song being the most effective. Smiley Burnette supplies the comedy. Others in the cast are Carol Adams, Ferris Taylor, Georgia Caine, Bryan Foulger and Guy Usher.

Running time, 79 minutes. "G."*

**"G" denotes general classification.*

'Mothers' at $7,000 Leads Indianapolis

INDIANAPOLIS, Jan. 23. — "Four Mothers" and "Street of Memories" did $7,000 at the Indiana and Raymond Scott's band on the stage and "Michael Shayne, Private Detective" on the screen brought the Lyric $9,400. The weather was mild.

Estimated takings for the week ending Jan. 17:

"The Bank Dick" (Univ.)
"One Night in the Tropics" (Univ.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $6,000)

"Four Mothers" (W. B.)
"Street of Memories" (20th-Fox)
INDIANA — (3,200) 28c-33c-44c) 7 days. Gross: $7,000. (Average, $5,500)

"Go West" (M-G-M)
"Land of Liberty" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $7,000)

"Michael Shayne, Private Detective" (20th-Fox)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Raymond Scott and orchestra. Gross: $9,400. (Average, $8,000)

Detroit Fight Keeps New Royal Closed

DETROIT, Jan. 23.—Operators of the new $350,000 Royal Theatre and officials of the local operators' union are stalemated in their dispute over the hiring of a stage maintenance man. The dispute prevented the scheduled opening of this 2,500-seat theatre on Dec. 27, when 3,000 patrons were disappointed. The theatre has been dark since.

The patrons were given leaflets explaining the management's stand that a maintenance man at a salary of $78 a week was not necessary, while the union claims one is needed. The two $105-a-week operators refused to go to work after the management refused to hire the stage hand.

Dismiss Republic Suit

Dismissal of the suit of Republic Pictures Corp. of Delaware against the Federal Film Co., Inc., and Frank J. Whittle was ordered yesterday by Federal Judge John C. Knox for failure to prosecute. Republic has claimed that the defendants had misappropriated eight of the plaintiff's features and two serials and were distributing them without authority.

Chaplin Suit Dismissed

The suit of Film Sonores Tobis Societe Anonyme against Charles Chaplin and the Charles Chaplin Film Corp. for alleged plagiarism of the plaintiff's film, "A Nous La Liberte," in "Modern Times," has been dismissed by Federal Judge John C. Knox for failure to prosecute.

'Nanette' and Raft $20,000, Cleveland

CLEVELAND, Jan. 23.—George Raft on the stage of the RKO Palace aided "No, No, Nanette" to score $20,000. "Flight Command" at the State did $13,000.

Estimated takings for the week ending Jan. 16:

"Santa Fe Trail" (W.B.)
ALLEN—(3,000) (33c-39c-47c) 11 days, 2nd week. Gross: $6,000. (Average, 7 days: $4,000)

"Kitty Foyle" (RKO)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 11 days. Gross: $18,000. (Average, 7 days: $11,000)

"No, No, Nanette" (RKO)
RKO PALACE—(3,100) (33c-47c-55c) George Raft and show on stage. Gross: $20,000. (Average, $13,500)

"Flight Command" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $13,000. (Average, $11,000)

"Comrade X" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)

Comerford Estates Boost Pa. Tax Total

SCRANTON, Pa., Jan. 23. — Inheritance tax collections in Lackawanna County during 1940 nearly doubled the 1939 total as a result of payments by the estates of the late M. E. Comerford and M. B. Comerford. The estate of the late M. E. Comerford made payments of approximately $101,000 during 1940. The second largest payment of 1940 was made by the estate of the late M. B. Comerford, former general manager of Comerford Theatres, Inc., who died in 1935, and totaled $31,619.54 during 1940 in addition to earlier payments totalling $46,035.

'Le Moko' to World

"Pepe Le Moko," French film directed by Julien Duvivier, will follow "The Baker's Wife" into the World Theatre.

'Arizona' Is Hit in Boston With $33,500

BOSTON, Jan. 23.—"Arizona" and "Angels Over Broadway" scored a total of $33,500 at two theatres, with $15,000 at Loew's State and $18,500 at Loew's Orpheum. "Second Chorus" and "Michael Shayne, Private Detective" took $16,500 at the Metropolitan. The weather was cold and the "Ice Follies" offered competition.

Estimated takings for the week ending Jan. 15-17:

"Give Us Wings" (Univ.)
"One Night in the Tropics" (Univ.)
"The Bank Dick" (Univ.)
KEITH BOSTON — (3,200) (25c-35c-40c-55c) "Give Us Wings" 4 days with vaudeville including Marty May and Robbins Brothers and Marge. "Tropics" and "Bank Dick" 3 days. Gross: $7,000. (Average, $8,000)

"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $16,000)

"Second Chorus" (Para.)
"Michael Shayne, Private Detective" (20th-Fox)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $16,500. (Average, $15,500)

"Four Mothers" (W. B.)
"Texas Rangers Ride Again" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $7,500)

"Four Mothers" (W. B.)
"Texas Rangers Ride Again" (Para.)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $4,000. (Average, $4,500)

"Love Thy Neighbor" (Para.)
"Lady with Red Hair" (W. B.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $3,800. (Average, $4,000)

"Arizona" (Col.)
"Angels Over Broadway" (Col.)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $15,000. (Average, $12,000)

"Arizona" (Col.)
"Angels Over Broadway" (Col.)
LOEW'S ORPHEUM—(2,900) (25c-35c-40c-55c) 7 days. Gross: $18,500. (Average, $17,500)

'Foyle' at $12,700 Strong in Buffalo

BUFFALO, Jan. 23.—"Kitty Foyle" was strong at the Twentieth Century with $12,700. "Flight Command" and "Keeping Company" drew $11,400 at the Great Lakes.

Estimated takings for the week ending Jan. 18:

"Chad Hanna" (20th-Fox)
BUFFALO—(3,489) (30c-35c-60c) 7 days. Will Bradley and his orchestra on stage with Ray McKinley, Rosemary Lane in person, revue featuring Freddie Slack, Lynn Gardner, Jimmy Valentine, Chick & Lee and George Tapps. Gross: $15,600. (Average, $12,000)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
GREAT LAKES—(3,000) (35c-55c) 7 days. Gross: $11,400. (Average, $7,500)

"Love Thy Neighbor" (Para.)
"Texas Rangers Ride Again" (Para.)
HIPPODROME—(2,100) (30c-50c) 7 days. 2nd week. Gross: $5,800. (Average, $6,800)

"Kitty Foyle" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $12,700. (Average, $7,500)

"Arizona" (Col.)
"I Can't Give You Anything But Love" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days, 2nd week. Gross: $5,800. (Average, $6,300)

Settle Juno Action

Suit of the Juno Theatre Corp., operator of the Bedford Theatre, Manhattan, against Soteros D. Cocalis and a number of Cocalis theatre corporations were settled yesterday in the New York Supreme Court. The plaintiff had sued for $9,748.

Theatre Men Alliance With Ascap Talked

(Continued from page 1)

have been reported as under way in a number of other cities.

Ascap officials said that while they were willing to cooperate to the extent of their ability, they regarded the movement as one which concerned music publishers, primarily. They added, however, that they regarded an Ascap-theatre alliance against B.M.I. as a "natural one in the present conflict of interests."

"Radio is in competition with the theatres," one Ascap official asserted. "Moreover, if its offshoot, B.M.I., is successfully established, theatres may be sure that a music tax will be levied against them eventually by that organization. In 'selling' Ascap music in their theatres exhibitors have an added factor in offsetting radio competion and winning new business for themselves."

Pittsburgh and Chicago theatres, it was said, are turning to the use of song slides and community sings, while advertising that the music which can no longer be heard on the radio is still available in the theatres.

Ascap officials observed that the 65,000,000 to 75,000,000 weekly motion picture audience is equally as attractive to them as the radio audience.

F.C.C. to Look at Television Today

(Continued from page 1)

to Philadelphia, and returned here, a distance of about 190 miles in all. On Saturday, CBS will show color television with a live studio pickup.

The NTSC, organized last September from all viewpoints in the industry, to draft standards which will be acceptable to the FCC is prepared to make a report on all phases of television engineering Monday. Although the hoped for unanimous agreement has failed to materialize, it is understood that the NTSC will base its report on substantial majority agreement on all principal points.

The details of the report are being withheld but it is understood that there will be little variance from the standards proposed by the Radio Manufacturers Association last year. At that time, the FCC took the position that standards were still too uncertain to permit commercialization of the new medium. In calling for Monday's report, the FCC set forth that it was not seeking recommendations for future action from the NTSC but merely wanted an account of progress up to this point.

An indication that DuMont, who was a major factor in having standards rejected last year, is still not satisfied, was received yesterday. In a statement, DuMont declared television standards now used are limited to audiences in metropolitan areas and that rural audiences "are doomed to go without television entertainment." He contended that this was due to the fact that television is limited to the ultra-short wave frequencies. DuMont contended that by using his new rentitive tube, a satisfactory picture could be obtained on 325-line definition with 15 frames per second thus cutting down the necessity of using a 6,000,000 cycle band to 1,000,000. He said that such reduction would make possible use of longer wave frequencies and thus make service over wider areas possible.

Off the Antenna

WEDNESDAY night's performance of the local "Pot o' Gold" show over the three New York independent stations ended a brief two-week feud, when WHN had the winner on its nightly "Cinderella" program. WMCA and WNEW, as well as WHN carry the program but WNEW succeeded in getting to the winner first on the initial two weeks. The agreement now provides that each of the stations shall take a turn in obtaining the winner's appearance on the air.

• • •

Construction work on the new transmitter for WTAD, Quincy, Ill., has been completed and the station, it is stated by officials, will be able to go full time within the next week or 10 days. Cost of the new transmitter is estimated at between $45,000 and $50,000. WTAD joins CBS on Feb. 1.

• • •

Purely Personal: *Eleanor Roosevelt will be guest on Bill Stern's "Sports Newsreel of the Air" over NBC-Blue Sunday at 9:45 P.M. . . . Ernest Colling of the NBC press department has sold five songs to BMI . . . Tom Bennett, producer of "Chamber Music Society of Lower Basin Street", has been forced to sever his connection with that show because of NBC's requirement that he devote himself exclusively to composing original music. Joseph Thompson will succeed him on the program . . . Burton Lewis, special effects director for Walt Disney's "Fantasia", will be interviewed by David Lowe over WNEW at 12:45 this afternoon . . . Daniel Russell, NBC announcer, has resigned to do public relations work for Pan American-Grace airlines . . . James McConnochie, II, has joined Radio House, Inc., as business manager . . . Bill Beal, KDKA, Pittsburgh, continuity editor, is the father of a son.*

• • •

A new show to be called "No Politics" has been announced by W. B. Lewis, CBS vice-president in charge of broadcasts. The program will feature Congressmen speaking on national problems and the broadcast will be in a form similar to a regular session of the House of Representatives. It will be heard Saturdays at 1:30 P.M., beginning Feb. 1.

• • •

Program News: California Fruit Growers Association will sponsor the 7:15-7:30 A.M. period of Phil Cook's "Morning Almanac" over WABC for 13 days, beginning tomorrow . . . Johannes Steel, WMCA commentator, will start a new series over WOR Sunday. After two Sundays on sustaining time, he will be sponsored Sundays at 9:30 P.M. and Thursdays at 10 P.M. by Aspertane . . . George Burns and Gracie Allen will broadcast from Chicago Feb. 3 and will be heard from New York for the next five weeks . . . Bob Hawk will start a seven-week swing through the South beginning Sunday with "Take It or Leave It" . . . "Chicago Round Table" will mark its 10th birthday with its Feb. 2 broadcast over NBC-Red.

Sellout of 'Wind' Leads Broadway

(Continued from page 1)

run. At the Roxy, "Hudson's Bay" was good for an estimated $33,400 in its second week, plus a stage show, with "Tall, Dark and Handsome" going in yesterday. At the Rialto, "Convoy" drew an estimated $7,500 for the week and was followed by "Pride of the Bowery."

The Stage show during the run of "Virginia" at the Paramount, which starts next Tuesday evening, will include Glenn Miller's band, Dean Murphy, Cass Daley, Four Modernaires, Ray Eberle and Dorothy Claire. The Tuesday evening premiere will be held for the benefit of the Maple Leaf Fund, national Canadian organization for British war relief. Raymond Massey will act as master of ceremonies that evening with Anton Dolin and Raoul Jovin as special guests. Madeleine Carroll will speak to the audience by telephone from Hollywood.

Balaban Stresses Television's Value

(Continued from page 1)

big special events will be included in the list of programs that we may televise," Balaban concluded.

The television display at the Drake Hotel in connection with the testimonial dinner to Balaban, attracted all visitors, especially Stanton Griffis, Adolph Zukor, Y. Frank Freeman, Neil Agnew and others who participated in the experimental test, which was broadcast by means of a mobile unit from one room to another.

Approximately 300 business associates and friends paid tribute to Balaban tonight on the occasion of his fifth anniversary as president of Paramount.

Every ranking Paramount home office executive, heads of the Paramount affiliated circuits from every section of the country, former Chicago associates, 55 winners of the Paramount theatres' business drive for Balaban, conducted from Thanksgiving to Christmas, and numerous friends of the Paramount executive comprised the gathering. Described as "strictly a family affair," reporters were requested not to transmit stories on speeches or other parts of the program.

A brief portion of the program, however, was telecast over Station W9XBK, the Balaban & Katz television station here.

B. M. I. Is Charged With Plagiarism

Hollywood, Jan. 23.—First plagiarism suit to be filed against B.M.I. in this area was brought in Superior court here today by Charles Rosoff, song writer, who asked $50,000 damages of B.M.I. and Jack Stanley, orchestra leader, whose song, "They Didn't Believe Me," he charged plagiarized his unpublished song, "That Gypsy Moon."

RKO Sales Setup To Remain As Is Under the Decree

(Continued from page 1)

unlikely also, except for the addition of a number of salesmen necessary to handle the increased sales work under the decree.

It is estimated that RKO will require 45 to 60 additional men for this purpose. In many cases, bookers and office managers will be promoted to fill these requirements.

Company policies and plans under decree operations were outlined to the district managers at the meeting by George J. Schaefer, president; Ned E. Depinet, vice-president and distribution chief, and A. W. Smith, general sales manager.

The RKO sales organization has been centralized throughout for the past year, matching the pattern followed by M-G-M and Paramount in the realignment of their sales staffs. With Depinet at the head of distribution and Smith as general sales manager, the RKO organization has Robert Mochrie in charge of the East and Cresson Smith in charge of the West. In addition, compact district organizations are under the supervision of the two division heads.

Expect Neb. Bills To Tax Industry

OMAHA, Jan. 23.—Described as a "luxury tax" bill, measures taxing both exhibitors and distributors will be introduced in the Nebraska legislature by State Senator Neubauer, who has already made the bills public.

The legislation would place a 10 per cent tax on all tickets to theatres and other amusement places. Distributors, under a companion bill, would be taxed an outright $1,000 occupational tax, and in addition $1 on each reel of film brought into Nebraska. Exhibitors would be prohibited from "laying in" large stocks of films, actually on order, to escape the act before it goes into effect. The sponsor figures the tax on exhibitors and distributors would raise about $500,000 a year.

Coslow Signs Rogers

Buddy Rogers has been signed for a series of musical subjects for Sam Coslow's Cameo Productions, designed for the Roosevelt-Mills Soundies Corp.

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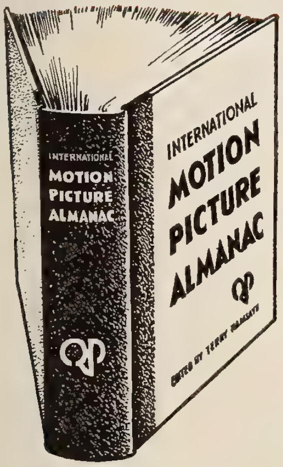
■ Here is a library of factual information that meets an urgent need. Authoritative manuals expressly prepared for theatremen as practical aids in their daily routine. Glance over the titles! There are books here that should be on your desk now—books that will save you time, effort and expense in the voluminous information they will put at your fingertips.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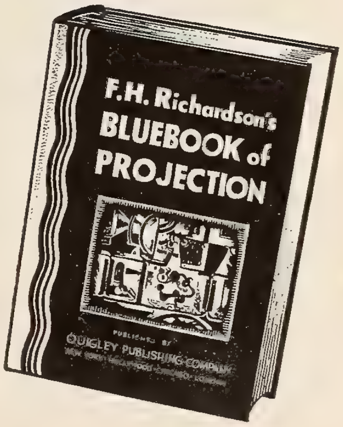
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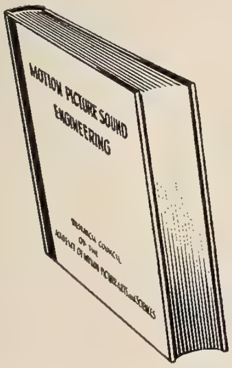
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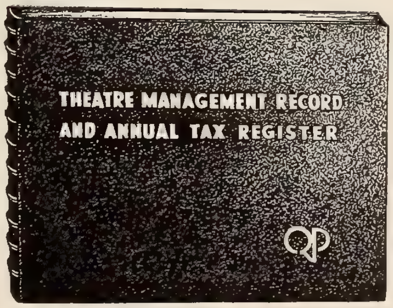
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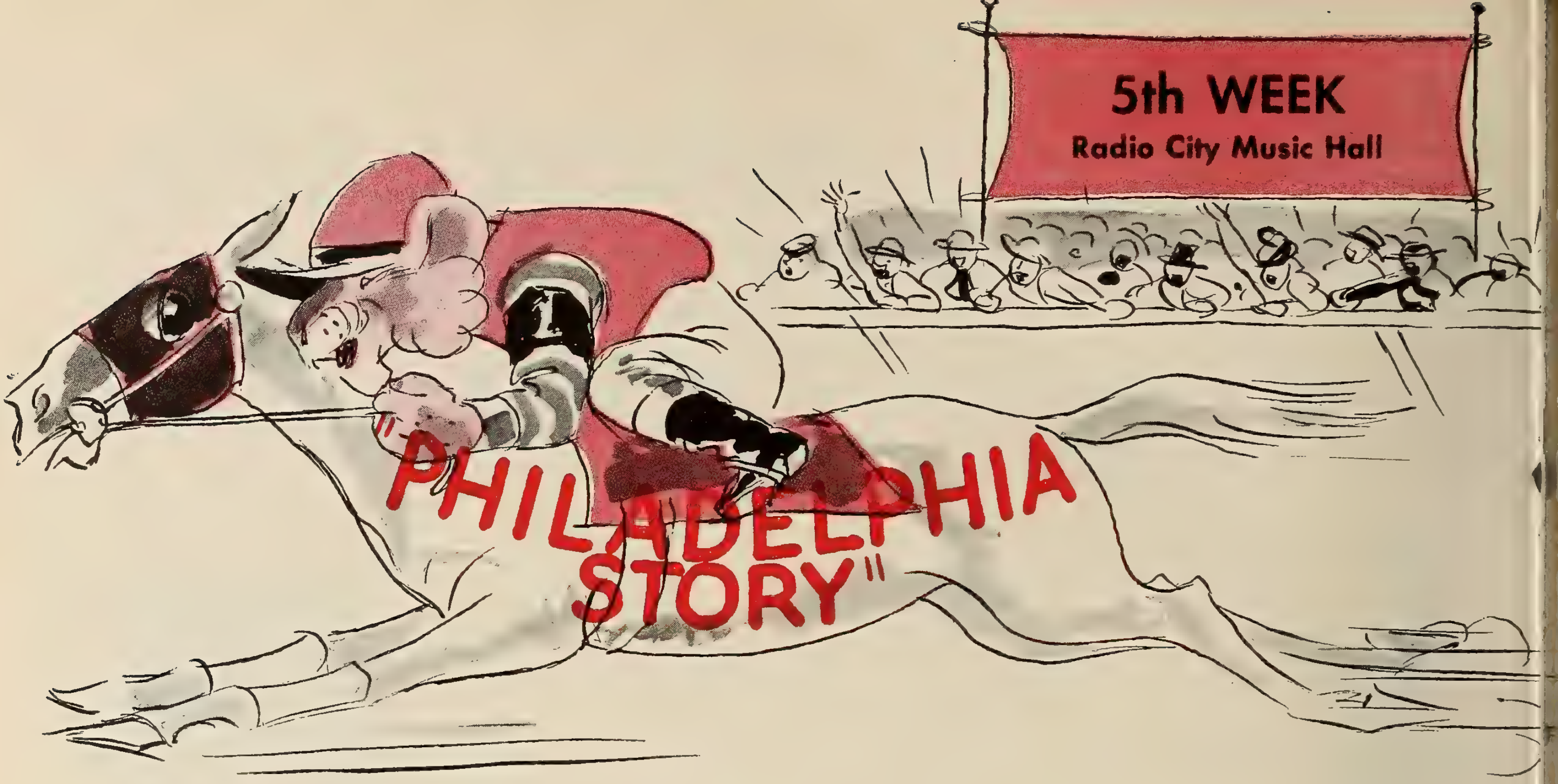

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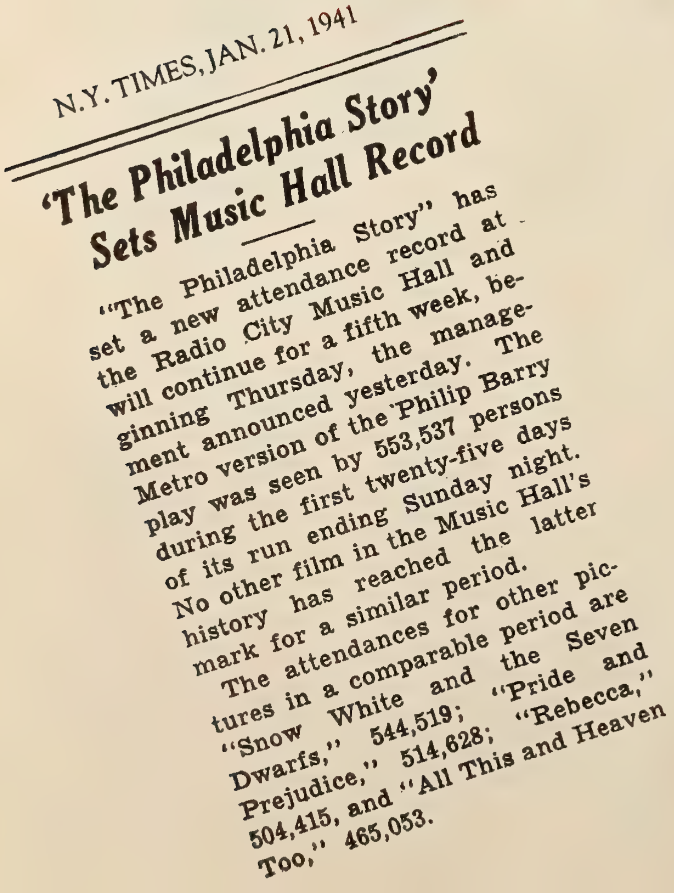
N.Y. TIMES, JAN. 21, 1941

'The Philadelphia Story' Sets Music Hall Record

"The Philadelphia Story" has set a new attendance record at the Radio City Music Hall and will continue for a fifth week, beginning Thursday, the management announced yesterday. The Metro version of the Philip Barry play was seen by 553,537 persons during the first twenty-five days of its run ending Sunday night. No other film in the Music Hall's history has reached the latter mark for a similar period.

The attendances for other pictures in a comparable period are "Snow White and the Seven Dwarfs," 544,519; "Pride and Prejudice," 514,628; "Rebecca," 504,415, and "All This and Heaven Too," 465,053.

WHEN you play
"Philadelphia Story"—
Remember that *your*
Box-office possibilities
Are unlimited too!
5 weeks at Radio City Music Hall
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Providence, Louisville, Milwaukee—
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Hang on to that Filly from Philly—
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VOL. 49. NO. 18 NEW YORK, U. S. A., MONDAY, JANUARY 27, 1941 TEN CENTS

Allied Meeting To Set Attitude On the Decree

Board Convening Today In Washington

WASHINGTON, Jan. 26.—National Allied directors will meet here tomorrow for an annual meeting which will be devoted largely to consideration of the association's future attitude toward the consent decree, the Federal tax situation, cooperation with the national defense program and the Ascap situation. Abram F. Myers, board chairman and general counsel, will preside.

Abram Myers

The first session, tomorrow morning, will be devoted to the decree, involving the question whether Allied shall seek further legislation, Federal or state, to eliminate block booking and bring about divorcement of exhibition. At the same time, consideration will be

(Continued on page 4)

20th-Fox Starting 18 New Film Scripts

HOLLYWOOD, Jan. 26.—20th Century-Fox has assigned writers to start work on scripts for 18 of the company's productions for next season.

The properties, all slated for the 1941-'42 schedule are: "Flight Surgeon," "School for Soldiers," "Stand Up and Cheer," "Studio Club," "Tomorrow Never Comes," "Private Nurse," "The Golden Touch," "The Last of the Duanes," "The Light of Heart," "Lucky Baldwin," "Man With a Shovel," "Charley's Aunt," "Benjamin Blake," "Lazy Galahad," "The Dead Take No Bows," "Blind Man's House," "Remember the Day" and "Coney Island."

Reviewed Today

Feature reviews on "So Ends Our Night" and "Along the Rio Grande" are reviewed today on page 13.

Asks Music Fight Inquiry by House

Washington, Jan. 26.—Investigation by a special House committee of the fight between Ascap and the National Association of Broadcasters was sought in a resolution over the weekend by Rep. Francis J. Myers. The resolution was referred to the Rules Committee which is not expected to take any action unless strong support is shown.

Bernhard to Talk At Quigley Awards Lunch Tomorrow

An address on showmanship in the theatre by Joseph Bernhard, head of Warner Theatres, will feature the seventh annual Quigley Awards luncheon at the Hotel Astor tomorrow. Martin Quigley will preside at the luncheon, which will follow the judging for the awards in the exploitation competition conducted by Managers Round Table of *Motion Picture Herald*.

Prominent among the guests will be exhibition executives from out-of-town here for the judging. These include Edward M. Fay, Providence; Nat Holt, Cleveland; Earl J. Hudson, Detroit; Charles E. Kurtzman,

(Continued on page 4)

FOREIGN ROYALTY BILL INTRODUCED

Purpose Is to Free American Firms from Payments Where Currency Restrictions Enforced

WASHINGTON, Jan. 26.—A bill to protect American owners of copyrights, patents and secret formulas from being required to pay royalties to foreign nationals if sums due the American owners from such countries are owing and unpaid because of currency embargoes or other foreign exchange restrictions, has been introduced in the House and Senate.

The bill is regarded as of considerable significance to the American motion picture, sound equipment and music industries.

Under its provisions, American companies which suffered losses of property through confiscation or destruction abroad, would be in a position to have such losses applied against any moneys which they might owe to copyright or patent owners in such countries, or to recover such losses through funds owed in such countries by other Americans.

The bill, which has been referred to the House Committee on Patents and the Senate Interstate and Foreign Commerce Committee, provides that Americans who owe money to foreign

(Continued on page 4)

Miami's Show Folks See 'Night' Premiere

MIAMI BEACH, Jan. 26.—A representative audience from Miami's show folks colony mingled with society people Friday night at the world premiere of the David Loew-Albert Lewin production, "So Ends Our Night," at the Lincoln.

It was a typical Hollywood opening, with all the fanfare of surging crowds, sweeping lights, radio interviews and program broadcasts. Glenn Ford made a personal appearance on the stage of the theatre at the close of the showing. Don Lanning and Sammy Walsh acted as masters of ceremonies for thousands gathered along Lincoln Road, outside the theatre, and on the radio.

Among those attending in addition to Ford and Anna Sten, feature

(Continued on page 4)

Radio Manufacturers Won't Change Television

By EDWARD GREIF

After five months of intensive research and investigation, the National Television Systems Committee today in Washington, it is reported, will recommend basically the same television standards which the Radio Manufacturers Association recommended early last year and which the FCC rejected as not sufficiently advanced.

The array of engineering opinion, with DuMont, Philco and Zenith opposed in part to these recommendations, continues almost exactly as it was one year ago, it was reported.

Although the NTSC recommendations were approved by a very substantial majority, just as almost the entire industry agreed last year on the RMA standards, there is still a very vigorous minority dissent on three issues. These are the number of lines per frame and frames per second; vertical as opposed to horizontal polarization and synchronization of signals. Despite the development of color by Dr. Peter Goldmark during the past few months, the NTSC appears substantially agreed that this development has no immediate effect on the setting of standards.

Although the FCC, in setting today as the date for a meeting with the NTSC, indicated that it was primarily interested in a socalled progress report from the committee, rather than a recommendation as to standards to be fixed, the NTSC will present to the commission today a complete set of standards which it thinks should be adopted for television.

FCC Chairman James L. Fly on

(Continued on page 14)

'Big 5' Schine Suit Dismissal Monday

The Government's stipulation for dismissal of the five consenting companies from the anti-trust suit against the Schine Circuit, pending in Federal court at Buffalo, is scheduled to be entered there next Monday.

Entering of the stipulation automatically eliminates the five companies as defendants in that action and completes their elimination from all pending Government anti-trust suits against the industry. Similar action has been taken by the Government during the past two months in the New York, Oklahoma City and Nashville suits.

With the elimination of the "Big Five" from the Buffalo suit, the Government will enter its amended complaint against the "Little Three," Columbia, United Artists and Universal, and the Schine Circuit. Conversations looking to the possibility of a consent decree in the Buffalo action have been held between Government attorneys and Willard S. McKay, attorney for the Schine Circuit.

Mobile Units Used For British Troops

LONDON, Jan. 26.—The first formal announcement by the British War Office here confirms the information, published in MOTION PICTURE DAILY earlier this month, that the first mobile film units for troops are already in operation with the cooperation of the industry.

At a recent joint meeting representatives of the War Office, the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) consolidated further proposals and arrangements for providing screen entertainment for the British armed forces in outlying districts. It is stated that 10 mobile screening units already are in use with pictures supplied by the industry.

Flu Epidemic Drops Off in K. C. Territory

KANSAS CITY, Jan. 26.—One box-office deterrent of the past six weeks now is letting up—the flu. Mild in form, it has been widespread, and has reached almost epidemic proportions here and in the Western Missouri and Kansas territory. The Kansas health department has reported that the epidemic had passed its peak. A total of slightly over 2,000 cases were reported for the week ended Jan. 18.

Form Atlanta Firm For Colored Films

ATLANTA, Jan. 26.—Consolidated National Film Exchanges has been formed here by Ted Toddy of Dixie National Pictures and John Jenkins of Million Dollar Pictures. The new company will distribute the product of the two producing outfits, which now have on hand eight films with each scheduled to make another four this year. All the pictures involved have all-colored casts. The distributor is to have offices in Dallas, New York, Chicago and the West Coast in addition to here.

Dixie Towns Hold 'Virginia' Premiere

RICHMOND, Jan. 26.—A five-city premiere of Paramount's "Virginia" was held Friday night, with Tom Rutherford, native of this city; Stirling Hayden and Carolyn Lee making a round of personal appearances and radio broadcasts.

The picture, in which the three appear, made its bow simultaneously in Richmond, Charlottesville, Newport News, Norfolk and Lynchburg.

Party for Ungerfeld

NEWARK, N. J., Jan. 26.—Robert Ungerfeld, who has resigned as manager of the RKO Proctor's here, was given a testimonial dinner on Friday night at the Newark Athletic Club. He has been replaced by Edward Sniderman, publicity man at the house some years ago.

Flu Hits Detroit

DETROIT, Jan. 26.—Flu and measles epidemics, in a mild form, in Detroit have contributed in large measure to a 10 per cent attendance drop in leading downtown theatres and 20 per cent in the neighborhood houses, theatre officials here estimated.

Personal Mention

BARNEY BALABAN, STANTON GRIFFIS, LEONARD GOLDENSON, AUSTIN C. KEOUGH and LEON NETTER returned from Chicago over the weekend.

•

MR. and MRS. MAX COHEN will leave for Florida on Wednesday.

•

MR. and MRS. ELWIN L. WEISL have left Chicago for California.

•

TOM CONNORS, of M-G-M, returns today from an upstate business trip.

•

WILLIAM F. RODGERS and LOWELL CALVERT are back in town.

•

JOHN MORONEY, of Dallas, is expected here tomorrow.

•

FRANK ALSTOCK is in California.

•

JOHN JOSEPH, director of advertising and publicity for Universal, will leave today for Washington with DEANNA DURBIN, and from there will go to Florida.

•

LOUIS HONIG, real estate and insurance manager for Fox Midwest in Kansas City, has been elected president of the Broadway Association there.

•

L. M. CRAWFORD, retired theatre owner of Kansas, is ill at St. Francis Hospital in Wichita.

•

JOSEPH LEON, Columbia salesman in Philadelphia, will leave this week for a Miami vacation.

GABRIEL PASCAL is en route here from Lisbon on the *Exeter*, bringing with him a print of "Major Barbara."

•

HERBERT BAYARD SWOPE leaves soon for Florida.

•

PHIL ENGEL, Warner exploiteer, left for New England over the weekend.

•

TAY GARNETT, who was stricken with flu and pneumonia in Lincoln, Neb., during the premiere of "Cheers for Miss Bishop" which he directed, recovered sufficiently to return to the Coast over the weekend. He was accompanied by MRS. GARNETT and his sister-in-law, MISS MAY ATHERTON.

•

ROBERT YOUNG, 20th Century-Fox player, will arrive from the Coast tomorrow en route to Washington to attend the President's Birthday Ball.

•

WALLACE BEERY and CAROL ANN BEERY are here from the Coast for a week's visit.

•

CLARENCE NASH, the "voice" of Donald Duck in the Walt Disney short subjects, is en route to New York from the Coast for a brief vacation here.

•

EDGAR BLUMSTEIN, son of ABE BLUMSTEIN, of the 20th Century-Fox New York exchange, is the father of a seven-pound daughter, born to MRS. BLUMSTEIN at Beth David Hospital Friday.

Shea Managers Are Shifted by Grainger

E C. Grainger, president of the Shea Circuit, has disclosed a number of manager changes which he made during a recent trip through Pennsylvania and Ohio.

Duke Prince, manager of the Ohio and the Strand, Marietta, O., has been transferred to Zanesville, O., as assistant to E. J. Hiehle, general manager of the Quimby, Grand and Imperial. He has been succeeded by Joseph Scanlon, who managed theatres in Jamestown, N. Y., and in Bellevue and Clyde, O.

Raymond C. Trubey, formerly of Dover, O., has been shifted to Ashtabula, O., as assistant to Dan Gilhula, city manager. Gordon Kearsey, chief of service at the Pittsburgh in Pittsburgh, has been promoted to assistant manager of that theatre.

Other changes include the transfer of E. J. Fahey, formerly in charge of the State and the Tremont, Nashua, N. H., to Manchester, N. H., to take charge of the State, Palace, Strand and Crown in that city. Fenton Scribner, formerly Manchester theatre manager, has replaced Fahey.

Hays Recovering

Will H. Hays was reported over the weekend as recovering from his recent attack of influenza and may return to his office within a few days. He is scheduled to leave for the Coast at the end of the week.

Ginger Rogers Is Guest at RKO Party

Ginger Rogers was guest of honor at a cocktail party given by RKO in the Starlight Roof of the Waldorf-Astoria Hotel on Friday afternoon. With her was Christopher Morley author of "Kitty Foyle," Miss Rogers' starring film.

Among those attending were: George Schaefer, Ned E. Depinet, W. G. Van Schmus, Gus Eyssell, A. W. Smith, Jr., Robert Mochrie, A. A. Schubert, Michael Poller, S. Barret McCormick, Rutgers Neilson, Thomas P. Durell, Frederick L. Ehrman, John Whitaker, Florence Lake, Vladimir Lissim, Charles Boasberg, Sol Sachs, Gus Schaefer, Max Westebee and R. K. Hawkinson.

Academy Nomination Ballots Are Mailed

HOLLYWOOD, Jan. 26.—The Academy of M. P. Arts and Sciences over the week-end mailed nomination ballots for the 13th annual awards of the Academy. Voting for entries will close Feb. 5. Final ballots will be issued Feb. 10 and the tentative date for the banquet has been set for Feb. 27.

Williams Suffers Stroke

OMAHA, Jan. 26.—Charles E. Williams, president of M. P. T. O. of Nebraska and member of the board of M. P. T. O. A., suffered a stroke here yesterday. He is over 70 years old. His condition was reported as "fair" last night.

Newsreel Night Is Tried in Cleveland

Cleveland, Jan. 26.—"Newsreel Night" is an attraction offered by Manager Marvin Samuelson of the Colony Theatre in suburban Shaker Square. Several timely newsreels are combined into a special half-hour program by Samuelson and presented in addition to the regular fare on Thursday nights. If proves popular it will becom a weekly event.

Meeting on Defense In Phila. Tomorrou

PHILADELPHIA, Jan. 26.—Harr Brandt will head the list of speaker at an all-industry meeting in the in terests of national defense to be hel Tuesday morning at the Broadwoo Hotel. A plan for industry coopera tion in the Government program wil be presented. Jay Emanuel heads th local committee for the meeting.

Defense Results in 6 K.C. Area House

KANSAS CITY, Jan. 26.—Defens operations have resulted in the star of construction or reopening of si theatres in the Kansas City territor

Fox Midwest plans a 1,500-sea suburban house at Wichita, airplan factory center; T. J. Ghosen wil build a 500-seat theatre at Waynes ville, Mo., near Fort Leonard Wood Midwest Theatres, Inc., has purchase the Opera House at Junction Cit Kan., near Fort Riley; H. J. Griffit has reopened the Cozy at Junctio City, Kan., long dark, and the Arm is building two frame theatres nea Junction City.

Philadelphia Dinner To Weshner Tonigh

PHILADELPHIA, Jan. 26.—Jay Eman uel is head of the Variety Club com mittee sponsoring a testimonial din ner tomorrow at the Bellevue-Strat ford Hotel for David Weshner, for mer local Warner Theatres executiv and now director of exploitation fo United Artists. No seating arrange ment will be used, the dinner, at $ per person, being limited to 300 Samuel Stiefel is in charge of the en tertainment.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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And now he takes the N. Y. critics!

‘TALL, DARK and HANDSOME’ IS A RIOT AT THE ROXY!”—N. Y. Daily News

“A NATURAL!”—N. Y. Daily Mirror

“ONE OF THE MOST AMUSING COMEDIES IN A LONG TIME!”—N. Y. Times

“A FULL MEASURE OF ENTERTAINMENT!”—N. Y. Herald Tribune

“SLICK! SMART! YOU'LL FIND IT FUN!”—N. Y. Journal-American

“EXCELLENT! IT IS A POWERFUL CLICK!”—N. Y. Post

“GAY, FRESH AND FUNNY!”—N. Y. World-Telegram

Also the trade!

“TALL, DARK and HANDSOME” a solid piece of mass entertainment ...a boxoffice winner!”—*Daily Variety*

“Hilarious comedy smartly cast, tuneful and well-paced; swell entertainment for audiences generally.” —*The Film Daily*

And Jimmie Fidler!

“Pic of a big week: 20th Century-Fox's “TALL, DARK and HANDSOME.” Cesar Romero gets swell support from Milton Berle's comedy and Virginia Gilmore's charm, ll grand fun . . .”

20th CENTURY FOX

Allied Meeting To Set Attitude On the Decree

(Continued from page 1)

given the cooperation to be extended the Department of Justice in handling complaints.

The board also is to study the tax situation, with a view to determining the attitude to be adopted with respect to further changes in the Federal admissions levy, and will make a study of the national defense program for the purpose of deciding what cooperation can be extended by the independent exhibitors.

The Ascap situation, and the attitude of that organization and BMI toward exhibitors, will be considered, and judgment will be reached as to whether the theatre owners should seek better terms by direct approach or join in the fight between the two societies. Unfair competition, including that of non-theatrical films and coin machines also is scheduled for discussion.

The annual dinner, this year in honor of President H. A. Cole, will be held tomorrow night and officers for the current year will be elected Tuesday, at which time also the board will take formal action acknowledging the efforts of former Senator Matthew M. Neely to the independent exhibitors.

Among those from whom reservations have been received are W. L. Ainsworth, Fond du Lac, Wis.; Fred A. Beedle, Canonsburg, Pa.; A. C.Berkholtz, Milwaukee; Ray Branch, Hastings, Mich.; Col. H. A. Cole, Dallas; Joseph Conway, Philadelphia; Glen Cross, Battle Creek, Mich.; Roy E. Harrold, Rushville, Ind.

Walker Says Allied Brought on Decree

LAMPASAS, Tex., Jan. 26.—Allied States Association was charged with responsibility for the industry consent decree, through years of recourse to Federal and state legislative action and Department of Justice complaints, by Roy L. Walker, president of the Theatre Owners Protective Association of Texas, an M. P. T. O. A. affiliate, in a bulletin issued here today.

Judge Walker declared that the decree will have three adverse effects on independent exhibitors: it will force them into buying organizations, will increase the cost of film buying, and will delay product availability in small towns by six to 12 months.

Delay Club Election

CINCINNATI, Jan. 26.—The annual meeting of the Cincinnati Cinema Club, which was to have been held Saturday for election of trustees, who, in turn, were to elect officers, was postponed for lack of a quorum. Another date will be decided on soon.

New Korda Film Set

HOLLYWOOD, Jan. 26.—Alexander Korda plans "Forbidden City," original story by Ben Hecht, as a forthcoming feature for United Artists release. It is set against a background of German-occupied Paris.

Bernhard to Talk At Quigley Awards Lunch Tomorrow

(Continued from page 1)

Boston; Vincent H. McFaul, Buffalo; Alex Manta, Chicago, and Harry F. Shaw, New Haven.

Other judges expected are: Leon J. Bamberger, Mort Blumenstock, Harry D. Buckley, Charles L. Casanave, Albert Deane, Oscar A. Doob, W. R. Ferguson, R. M. Gillham, Harry Goldberg, Louis Goldberg, L. H. Goldenson, J. R. Grainger, W. J. Heineman, Charles R. Jones, Irving Lesser, Lou Pollock, C. E. McCarthy, F. J. A. McCarthy, S. Barret McCormick, C. B. McDonald, Harry Mandel, Arthur L. Mayer, C. C. Moskowitz, Alec Moss, J. J. O'Connor, Charles M. Reagan, Sol A. Schwartz, Si Seadler, Milton Silver, Albert E. Sindlinger, A. W. Smith, Jr., W. G. Van Schmus, J. R. Vogel, David B. Whalen, Lew Preston.

The 1940 Quigley Awards were conducted on the basis of quarterly competitions. These, open to theatremen in all parts of the world, offered prizes of plaques, medals and sheepskin citations for the best entries received in each of the four quarters of the year. Material for the Grand Awards to be judged tomorrow is made up of exploitation campaigns from theatremen who have scored highest during the quarters.

Columbia Schedules 14 for Last Half

HOLLYWOOD, Jan. 26.—Preparing for release of 14 high budget pictures during the balance of the current season, Columbia will enter upon its heaviest production activity in years this week.

Eight pictures will be shooting and several others are scheduled to go before the cameras in February. Among the more important under way are: "Penny Serenade," with Cary Grant and Irene Dunne; "Adam Had Four Sons," with Ingrid Bergman and Warner Baxter; "They Dare Not Love," with George Brent and Martha Scott; "Texas," with William Holden and Warren William; "A Girl's Best Friend Is Wall Street," with Franchot Tone and Joan Bennett, and "Senate Page Boys," with Herbert Marshall and Virginia Bruce.

Two Firms Chartered

ALBANY, Jan. 26.—Two new firms incorporated here are Polish-American Film Corp., by Edward M. Albin and George L. Seibert, New York, and New York Screenad, Inc., by Paul Jacobs, Edith Schellens and Blanche Barber, New York.

Lewis Dinner Feb. 17

PHILADELPHIA, Jan. 26.—Plans have been completed for a testimonial dinner to Allen Lewis, manager of the Dante, by the Showmen's Club on Feb. 17. Lewis was the Star of the club last year.

Steal Theatre Safe

DAYTONA BEACH, Fla., Jan. 26.—Bandits hauled away the safe of the local Sparks Theatre, after failing in an attempt to blow it up, according to manager J. L. Cartright. About $1,500 was taken.

British Fire Order Disturbs Theatres

LONDON, Jan. 26.—The Government's recent order that theatres employ full-time fire-watchers because of bombing attacks is causing some concern among exhibitors.

Although the theatre men are anxious to play their part in combating incendiary bombs and preventing destruction, they nevertheless are faced by certain problems.

The order compelling theatres, as business houses, to use fire-watchers also makes employes liable to 48 hours' of monthly service as fire fighters. This has resulted in a serious labor shortage. Exhibitors fear that they may not be able to comply with the law, and are seeking exemptions in certain cases. They are expected to ask the Home Security Ministry for consideration, and in view of the cordial relations now existing, some compromise is expected to be worked out.

Miami's Show Folks See 'Night' Premiere

(Continued from page 1)

players in the picture, were: Harry Richman, Sophie Tucker, Joe E. Lewis, Paul Whiteman, Maxie Rosenbloom, Mary Brian, Cross and Dunn, Alice Dawn, Carlyle Blackwell, Frances Faye, Gene Austin, Abe Lyman, C. W. Van Vorhees, N. B. Shandberg, Sidney Meyer, Mitchell Wolfson, I. Schmertz, Jack Sichelman, William Brandt, Bernard Brandt, Leonard Picker, Lee Shubert, Mrs. Herman Robbins, Mr. and Mrs. Sam Dembow, Damon Runyon, Frank Durkee and Sonny Shepherd.

Para. Crew Shoots Tests in Charleston

CHARLESTON, S. C., Jan. 26.—A Paramount camera crew of four arrived today from Hollywood to make test shots in color here for Cecil B. DeMille's next production, based on the Thelma Strobel novel, "Reap the Wild Wind." The screen title and cast have not been announced.

In the company are: E. D. Leshkin, assistant production manager; Dewey Wrightley, head cameraman; Lothrop Worth, assistant cameraman, and Andy Durkuse, technician. Charleston will play a prominent part in the picture, along with Key West, Fla. The "takes" here will be sent to Hollywood and the crew will return in March for Spring exteriors.

Promote Photophone Men

Edward C. Cahill, RCA Photophone division manager, has promoted M. J. Yahr, former commercial engineer at Camden, to a new post of product manager at the Indianapolis plant, and Carl Johnson from the service organization to replace Yahr at Camden.

Vaudeville in Scranton

SCRANTON, Pa., Jan. 26. — Two Comerford theatres have partially returned to vaudeville. Operating on an alternating schedule, the Capitol of Scranton and the Capitol of Wilkes-Barre offer vaudeville three days a week.

Royalty Bill Introduced In Congress

(Continued from page 1)

copyright and patent owners, residents of a country which enforces monetary restrictions against the United Sta[illegible] shall pay such moneys to the Se[illegible]tary of the Treasury in Washington and consider their debt discharged. A separate fund for each country invoking monetary restrictions would be set up by the Secretary of the Treasury.

Thereafter, Americans who have copyright or patent royalty claims against such countries would file their claims with the Secretary of the Treasury and, if their claims are upheld and honored, they would be paid by the Secretary of the Treasury out of the funds for the country or countries involved.

The measure is entitled: "a definition of principle of international reciprocity on patents, trade-marks, secret formulas and processes, and copyrights, by providing a method for assuring the payments of amounts due to persons in the United States from users thereof in countries restricting international payments from their territories."

Under the bill, any country could restore itself to normal exchange payments by agreeing to such free exchange in the future and paying up any arrears owed at the time to Americans. Any funds in such country's account here, then remaining, would be released to it by the Secretary of the Treasury.

The purpose of the bill is to protect Americans from required debt payments to foreign nationals who are restrained from paying like debts in this country because of foreign exchange restrictions.

The bill provides a $5,000 fine and imprisonment up to two years for violations. It was introduced in the Senate by Senator James A. Davis of Pennsylvania and in the House by Representative Robert L. Ramsay of West Virginia.

English Patronage Shift Seen by Rose

Changes of population and theatre patronage from large industrial cities in the British Isles to smaller centers due to air raids, is resulting in greater theatre attendance in outlying towns than in some key cities there, David Rose, Paramount managing director for Great Britain, reported on Saturday prior to his departure for Europe on the *Excambion*, after six weeks in Hollywood.

The Paramount executive commended the production colony for the British war relief work which it has accomplished or undertaken to date. He detailed Hollywood gifts to British war relief amounting to more than $500,000 in cash, $115,000 in medical equipment and ambulances, and 200 tons of clothing and 10,000 pieces of medical instruments.

MOTION PICTURE HERALD

Says

*"RKO was the distributor which ranked highest in the short subjects poll" (for 1940)**

** Voted by all the showmen of the nation, who were asked to list, from all companies' products, their ten best money makers (features), their ten best western stars, and their "TEN BEST MONEY-MAKING SHORTS SERIES."*

Thanks!

to the thousands of exhibitors who took part in the M. P. Herald poll and who, by their big majority vote, prove again the box-office value of an RKO RADIO short subject contract. To them–and to those few others who have not yet taken advantage of it–we repeat: For the best in short subject entertainment–for those special added attractions that so often mean the difference between a so-so show and a PROFIT show–RKO RADIO DELIVERS THE TOPS . . . week in, week out!

and now we're selling for 1941-42!

"THE TOP HONORS for the money-making short series, according to the voice of exhibitors registering the mandate of the public's box-office dollar, went to Walt Disney by a substantial margin".—(M. P. Herald)

WALT DISNEY

PRODUCTIONS *in* Technicolor

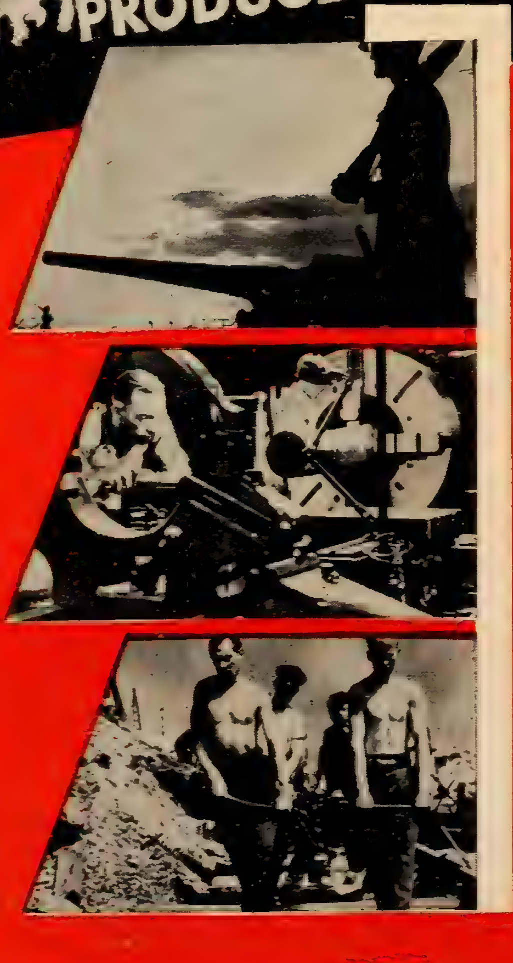
for 1941-42

18

SINGLE-REEL FEATURES

FIRST OF ALL TWO REEL SUBJECTS (M. P. Herald Poll)

THE MARCH OF TIME
RKO RADIO
PRODUCED BY THE EDITORS OF TIME



Current Releases

"ARMS AND THE MEN —U.S.A."

The full and dramatic story of the first peacetime conscription in U. S. history.

"LABOR AND DEFENSE"

Every man a vital cog in the wheels of industry as the U. S. girds for total defense.

"UNCLE SAM: THE NON-BELLIGERENT"

Contrasting the threatened peace and security of this nation with Britain under fire.

for 1941-1942—13 ISSUES OF THE MARCH OF TI

Up among the FIRST TEN in its FIRST YEAR!

Information Please

Presenting the famous experts—OSCAR LEVANT, FRANKLIN P. ADAMS, JOHN KIERAN and CLIFTON FADIMAN, together with a different GUEST STAR in each issue—with this series growing tremendously in popularity with every release. Produced by Frank Donovan. Program Director, Don Golenpaul.

for 1941-42 **13** *INFORMATION PLEASE*

6 *Edgar* KENNEDYS

"Slow-burn" Edgar in fast-burning laugh shows. Half a dozen snicker specials of an even higher quality than anything heretofore produced.

6 *Leon* ERROLS

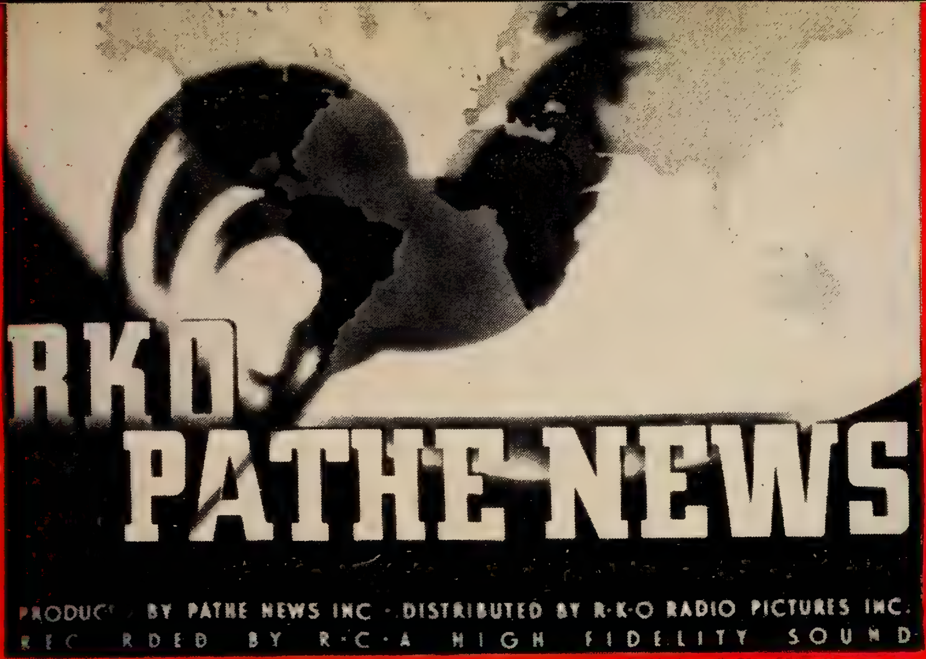
"Rubber-Legs" Leon, loonier than ever in a series of comedies planned to make the best show better. A big laugh name in big-time releases.

4 *Ray* WHITLEYS

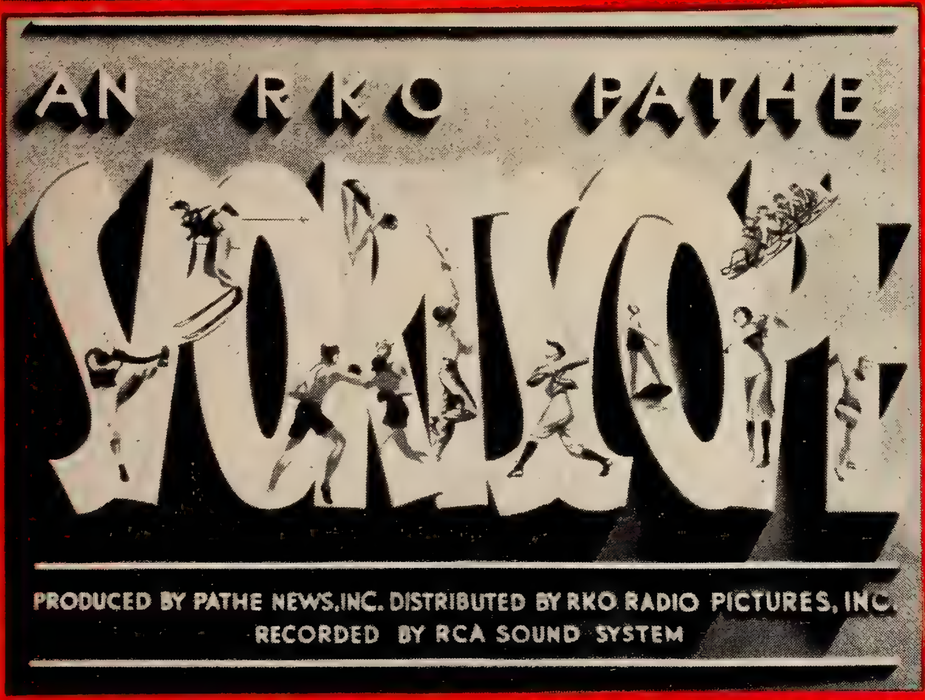
One of the most popular series in the world of short subjects. Western buckaroos swinging 'em high, wide and handsome with music, songs and action.

for 1941-42

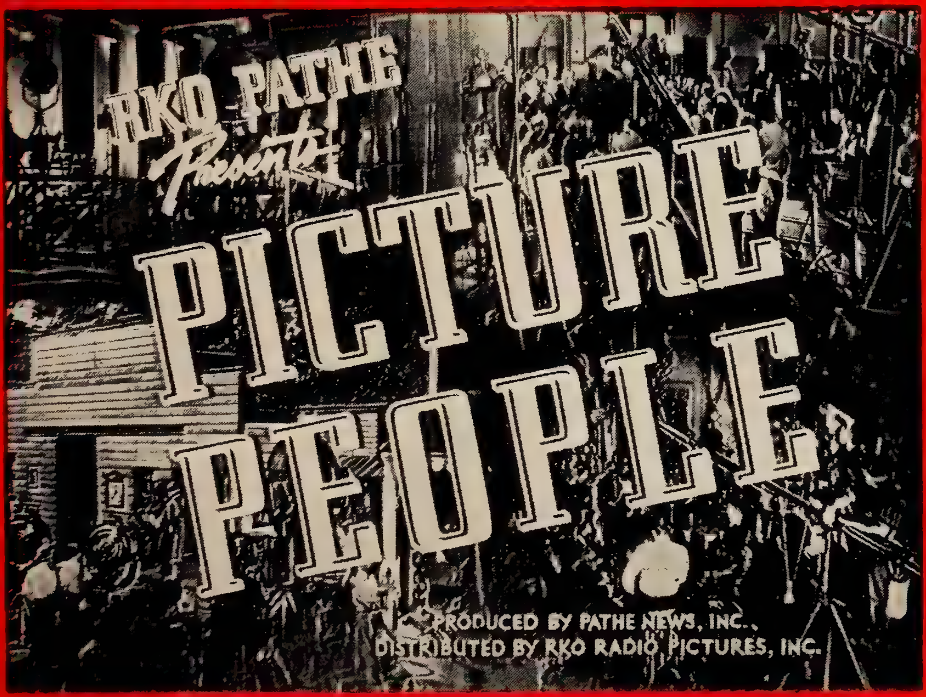
16 RKO-RADIO TWO-REEL SUBJEC


RKO
PATHE NEWS
PRODUCED BY PATHE NEWS INC · DISTRIBUTED BY R-K-O RADIO PICTURES INC.
RECORDED BY R·C·A HIGH FIDELITY SOUND

AS USUAL . . . Twice weekly! For more than a quarter of a century THE newsreel of newsreels, TODAY practically a MUST for the marquees of theatres everywhere.


AN RKO PATHE
SPORTSCOPE
PRODUCED BY PATHE NEWS, INC. DISTRIBUTED BY RKO RADIO PICTURES, INC.
RECORDED BY RCA SOUND SYSTEM

Exciting events for all sports fans — and that includes every movie fan . . . For Summer, Winter, Fall and Spring — always the seasonable release to meet peak popular appeal.


RKO PATHE
Presents
PICTURE PEOPLE
PRODUCED BY PATHE NEWS, INC.,
DISTRIBUTED BY RKO RADIO PICTURES, INC.

"The Fan Magazine of the Screen" . . . Feature news, intimate gossip, behind-the-scenes glimpses into the lives of the Hollywood great and near great.

RKO PATHE SUBJECTS

Produced by FRANK DONOVAN

For 1941-42 —

***104** ISSUES OF RKO PATHE NEWS* ***13** SPORTSCOPES* ***13** PICTURE PEOPLE*

FOR 1941-42

18 Walt Disney Technicolor Productions
13 Issues of The March of Time
13 Information Please
16 RKO RADIO Two-Reel Subjects
104 Issues of RKO-Pathe News
13 Sportscopes
13 Picture People

We are proud of the 1941-42 short subject program described in this announcement. Proud because it is made in keeping with our policy to distribute the NUMBER ONE short product in the industry ---- proud because this showmanship group of short subjects carries out the joint responsibility of producer and exhibitor to maintain and present the highest level of box-office quality.

The utmost in effort and production costs will be expended in the making of this product in our sincere desire to maintain our leadership in the short subject field.

Ned E. Depinet

Ned E. Depinet

RKO
RADIO
PICTURES

'Love' With $11,000 Is Cincinnati High

CINCINNATI, Jan. 26.—"This Thing Called Love" took $11,000 at the RKO Palace, and "The Thief of Bagdad" did $13,000 at the RKO Albee.

Estimated takings for the week ending Jan. 22-25:

"The Thief of Bagdad" (U. A.)

RKO ALBEE—(3,300) (33c-40c-50c) 7 [illegible]s. Gross: $13,000. (Average, $12,000)

"[illegible]his Thing Called Love" (Col.)

RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)

"The Invisible Woman" (Univ.)

RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Vaudeville headed by Ken Murray and Gertrude Nissen. Gross: $9,800. (Average, $10,000)

"Gone With the Wind" (M-G-M)

RKO CAPITOL—(2,000) (50c-55c-65c) 7 days, 4th week. Gross: $7,500. (Average, at 33c-40c-50c, $5,500)

"Hudson's Bay" (20th-Fox)

RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,800.

"Flight Command" (M-G-M)

RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $3,000. (Average, $4,500)

"You're Out of Luck" (Mono.)
"Charter Pilot" (20th-Fox)

RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Meet the Missus" (Rep.)
"The Phantom Submarine" (Col.)

RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

"Kitty Foyle" (RKO)

KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $5,000)

'Wind' New Haven Winner at $15,000

NEW HAVEN, Jan. 26.—"Gone With the Wind" at the Loew-Poli took the major portion of New Haven downtown business, grossing $15,000, in spite of bad weather and dangerous driving conditions. Second week of "Flight Command" and "Street of Memories" took $2,900 at the College.

Estimated takings for the week ending Jan. 23:

"Flight Command" (M-G-M)
"Street of Memories" (20th-Fox)

COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $2,700)

"Gone With the Wind" (M-G-M)

LOEW-POLI—(3,040) (40c-55c) 7 days. Gross: $15,000. (Average, $8,000)

"Victory" (Para.)
"Sandy Gets Her Man" (Univ.)

PARAMOUNT—(2,348) (39c-50c) 8 days. Gross: $4,000. (Average, $4,000)

"No, No, Nanette" (RKO)
"Here Comes the Navy" (W. B.)

ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,400. (Average, $5,000)

'Command' at $16,500 Strong in Baltimore

BALTIMORE, Jan. 26.—"Flight Command" drew $16,500 at the Century in a week of good grosses.

Estimated takings for the week ending Jan. 23:

"Flight Command" (M-G-M)

CENTURY—(3,000) (15c-28c-44c) 7 days. Gross: $16,500. (Average, $10,000)

"Honeymoon for Three" (W. B.)

KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $10,000. (Average, $9,000)

"Tall, Dark and Handsome" (20th-Fox)

NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $6,000. (Average, $7,000)

"Love Thy Neighbor" (Para.)

STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $14,500. (Average, $12,000)

"Arizona" (Col.)

HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. On stage, variety bill topped by Dixie Dunbar. Gross: $15,000. (Average, $14,000)

Travis on Pathe Board

C. Merwin Travis has been elected a director of Pathe Laboratories, Inc., of New Jersey to succeed the vacancy on the board created by the resignation of O. Henry Briggs, now president of Producers Releasing Corp.

Feature Reviews

"So Ends Our Night"

(Loew-Lewin—United Artists)

DAVID LOEW and Albert Lewin offer a poignant and moving dramatic picture of the harried lives of refugees from under the Nazi heel as their initial offering for release by United Artists.

It is at once a splendid addition to the U. A. release schedule and a most auspicious beginning for the Loew-Lewin producing combination.

The dramatic power and significance so characteristic of Erich Maria Remarque, whose novel, "Flotsam," formed the basis for this film, has been retained with fine fidelity and in some instances has even been enhanced through the medium of the screen.

John Cromwell, in his direction, has given the story in its diverse elements the benefit of smooth handling which has served to bring those elements into close cohesion in a completely rounded production. Likewise of value are the numerous touches of atmosphere contributed by splendid production technique and the fine camera work of William Daniels.

Portraying with deep sincerity and consummate skill, the figures of these helpless victims of a cruel and ruthless persecution are Fredric March, Margaret Sullavan, Frances Dee and Glenn Ford. March is a former German army captain, Aryan, but a refugee from a political system which he abhors. Miss Dee is his ill wife. Miss Sullavan, as a Jewess, and Ford, who describes himself as a 50 per cent Aryan, are both splendid as the two young refugees whose love brings hope to a seemingly dark future.

Counterpart of all that is evil and vicious in the Nazi system is Erich von Stroheim, who virtually plays "Javert" to the "Jean Valjean" of March. The refugees lack the all-essential passport which will open the door to freedom, but without which they are "lost." The paths of these people cross, as they are hounded from country to country, persecuted by the Gestapo, living always in fear.

Relieved by occasional flashes of amusing comedy, or by the touches of sympathetic understanding of those with whom the refugees come into contact, the film moves with a dramatic sweep from Austria, to Czechoslovakia, Switzerland and finally France. Eventually, March goes back into Germany when he learns his wife is dying, and there ends his own life, taking von Stroheim with him, but leaving enough money for the young people to insure their safety in a land of freedom and peace.

Here is the drama of a civilization in reverse. It has a certain timeliness which the showman should not ignore. Its theme has been behind the headlines from Europe these several years past.

Running time, 121 minutes. "G."* CHARLES S. AARONSON

"Along the Rio Grande"

(RKO)

Hollywood, Jan. 26.

TIM HOLT'S western vehicles produced by RKO are steadily improving, and "Along the Rio Grande," fourth in the series, is the best of the lot. It mixes action, comedy and suspense in adequate proportions and gives evidence of ability to satisfy any western fan. Again with Holt are Ray Whitley and Emmett Lynn, who have appeared in the predecessors in the series.

Betty Jane Rhodes, Robert Fiske, Hal Taliaferro, Carl Stockdale, Slim Whitaker, Monte Montague, Ruth Clifford and Harry Humphrey complete the cast of the picture, which deals with the trio's joining a gang of criminals who raid American stage coaches and ranches and then flee to their hideout across the Mexican border.

In a series of sequences marked by sharp suspense, the gang is brought to justice, with plenty of action thrown in for good measure. Three musical numbers are used. Edward Killy directed. Bert Gilroy was the associate producer for Lee Marcus.

Running time, 66 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Connecticut MPTO Is Meeting Today

NEW HAVEN, Jan. 26.—The Connecticut M. P. T. O. will hold its regular luncheon-meeting tomorrow at Ceriani's Restaurant. On the agenda for discussion are impending legislation in the current session of the state legislature, a communication from Thurman Arnold on the consent decree, and the Government-Ascap suit with its possible results to exhibitors.

Canners Pick House For All-Stage Show

CHICAGO, Jan. 26.—The Chicago Theatre has been selected for the eighth consecutive year to present a special show of big stage names—no pictures—to delegates to the National Canners convention. The Loop's largest theatre will be closed to the public at 8:30 on the night of the performance.

Showmanship Flashes . . .

Holds 'Comrade X' Street Car Review

WASHINGTON, Jan. 26.—Dan Terrell, publicist for Loew's Theatre here, in his campaign on "Comrade X," held a preview of the film in a trolley car, since the feminine lead plays a street car operator. The Capital Transit Co. cooperated in the stunt.

'Marx Brothers' Cover Town for 'Go West'

ROCK ISLAND, Ill., Jan. 26.—For "Go West" at the Fort Theatre, H. D. Grove had three men, dressed as the Marx Brothers, ride through the city in a patrol wagon, and planted large lumps of coal, sprayed with gold, in local store windows.

'Kitty Foyle' Contest Conducted in Columbus

Columbus, O., Jan. 26. — The RKO Palace, in cooperation with the Columbus *Citizen*, conducted a contest to find a girl whose physical specifications most closely approximated those of Ginger Rogers, as a stunt for the opening of "Kitty Foyle." The leading contenders were treated to a dinner, and subsequently the winner was selected.

Snow Photography Competition for 'Skis'

A snow photography contest is being held at the 55th Street Playhouse in connection with the run of "They Met on Skis," French film. The contest, which started last week, will continue through Feb. 12. Photos submitted are being exhibited in the theatre lounge. Prizes will be awarded to those submitting the 12 best photographs.

Public Address System Plays 'You'll Find Out'

GETTYSBURG, Pa., Jan. 26. — Syd Poppay, manager of the Majestic, used his public address system to simulate a Kay Kyser broadcast to plug the opening of "You'll Find Out." In addition, Poppay arranged for Kyser recordings in music machines at the nearby soda grills, which featured a special "You'll Find Out" sundae. Cards placed on the music machines called attention to the playdates.

Civic Leaders See 'Land of Liberty'

Rochester, Jan. 26. — All local pastors, divinity school professors, Y.M.C.A. officials and civic leaders were invited by Lester Pollock, manager of Loew's Theatre, to see "Land of Liberty" when it opened a test run at the theatre.

Airline Aids Run Of 'Flight Command'

PITTSBURGH, Jan. 26.—Pennsylvania Central Airlines mailed a flash promotion piece on "Flight Command" for the film's showing at the Stanley to a general prospect list. The card featured photos of Robert Taylor and Adeline Cox, PCA employe selected by M-G-M and the National Aeronautic Association as the nation's loveliest air hostess. Miss Cox, crowned "Miss Flight Command," flies on the Washington-Pittsburgh-Detroit route.

A.G.M.A. to Appeal Musicians Verdict

An appeal with be taken to the Court of Appeals by the American Guild of Musical Artists from an adverse decision rendered Friday by the New York Appellate Division in favor of the American Federation of Musicians. The Appellate Division upheld the denial of a temporary injunction but also dismissed AGMA's suit to restrain the A.F.M. from enforcing a requirement that all concert instrumentalists resign from AGMA and join the A.F.M. The dismissal had been denied by Supreme Court Justice Aron Steuer.

P.R.C. Distribution Is Set in Canada

Producers Releasing Corp. 1941 releases, including Sigmund Neufeld's westerns, will be distributed in Canada and the Maritime provinces by the former Grand National Films, Ltd., which will take the name, Producers Releasing Corp. of Canada and Newfoundland.

O. Henry Briggs, president of Producers, and Leon Fromkess, export manager, arranged the Canadian distribution.

The addition of two or three producers to Producers Releasing Corp. will be discussed next week on the Coast by O. Henry Briggs, president, and George Batchellor, production chief. At present three are producing tor PRC. Briggs left here Friday for the Coast, planning stops at Chicago, Detroit and Kansas City.

Goodyear Acquires Paramount Shares

Washington, Jan. 26.—Acquisition in November of 1,000 shares of Paramount Pictures common stock by Anson C. Goodyear, director, has been reported by the S. E. C. in its semi-monthly summary. The transaction increased Goodyear's holdings of Paramount common to 2,000 shares.

The only other film deal reported was the acquisition of 30 shares of Universal Pictures first preferred stock by Preston Davie, director, representing his total holdings of that class at the close of the month.

N.T.S. Holds Annual Meet Here Feb. 9-14

The annual meeting of the 29 branch managers of the National Theatre Supply Co. will be held here at the Belmont Plaza Hotel from Feb. 9 to 14.

All home office executives and sales promotion personnel will attend. Walter E. Green, president, will act as chairman of the meeting, and Oscar S. Oldknow, vice-president of the company, will be vice-chairman.

'Faith' at Cine Roma

Premiere of George S. Jeffrey's "Cavalcade of Faith" will be held tomorrow at the Cine Roma. Proceeds of the opening will be donated to National Infantile Paralysis Drive. All seats will be reserved and priced at $2.

Off the Antenna

WQXR has received a 52-week renewal on its contract from 20th Century-Fox. The agreement calls for 300 spot announcements. Kayton-Spiero Co. is the agency.

• • •

Around the Country: *Charles Stahl, general manager of WCAM, Camden, N. J., will leave next Monday to assume the presidency of WKNY, Kingston, N. Y. . . . Phil Jasen, publicity director for E. M. Loew's Plymouth Theatre in Worcester, Mass., has resigned to become promotion manager for WTAG, Worcester. . . . Walter A. Shead, Indiana newspaperman, has been appointed publicity director for WIRE, Indianapolis. Eugene C. Pulliam, president of the same station, has been inducted as a member of the Indiana State Police Board. . . . As a precaution against possible sabotage, a 75-foot tower guard house has been erected to protect the transmitters of WLW and WLWO, Cincinnati. . . . As a goodwill gesture, KFRC, Don Lee station in San Francisco, is broadcasting a five-minute roundup of theatre attractions every afternoon.*

• • •

Basketball, wrestling and track will supply the television program for NBC's station this week. On Wednesday night, the college basketball double header will be picked up from Madison Square Garden, on Friday, Jan. 31, the wrestling bouts from Jamaica Arena, and the Millrose Games from the Garden will be on the air Saturday night.

• • •

Luck changed abruptly last week for Eric Sevareid, CBS former Paris correspondent now stationed in Washington. Sevareid escaped the German push without the loss of any property but lost his overcoat while covering the hearings on H. R. 1776.

• • •

Program News: Despite the Ascap music fight, Armour Soap Works will sponsor a straight musical show with Wayne King's orchestra on Saturday nights at 7:30 beginning Feb. 22. . . . Al Helfer will start a new sports show, "Sports Final!" over WOR Sunday. The program will be heard every night at 11:15-11:20. . . . Martin Block will celebrate the sixth anniversary of "Make Believe Ballroom" over WNEW with a party at the Hotel Commodore Feb. 3.

Radio Manufacturers Won't Change Television

(Continued from page 1)

Friday reiterated that the majority opinion of industry engineers as represented by the NTSC would not necessarily result in the adoption of such standards by the FCC. Adoption of a definite set of standards on which manufacturers could concentrate and permission for commercially sponsored programs would be necessary before television can be regarded as having received the "go ahead signal." He indicated that the defense program would not hold up television but also hinted that it would be a big factor to consider.

RCA on Friday unveiled its theatre size television screen, 15 feet high by 20 feet wide in an impressive demonstration at the New Yorker Theatre. The audience was obviously impressed and broke out into spontaneous applause at several points. The varied program ended with a picture of an aerial bombardment while new sound equipment gave the audience the impression it was actually under bombardment.

Most observers remarked that a person entering the theatre in the middle of the program and not aware that a television demonstration was in progress would probably believe that an ordinary film show was going on.

Other highlights of the demonstration given for the benefit of the FCC and the press were a showing of RCA's new model home receiver with a screen 13½ inches high by 18 wide and a 68-mile relay of television from Camp Upton without the use of wires. Although rain and snow made the actual pickup from Camp Upton poor because of lack of light, a studio shot was relayed over the same hookup and came over with almost the same light qualities as if directly wired to the theatre.

DuMont exhibited its new "memory" type tube which permits frames to be cut down from 30 to 15 per second. There was no visible flicker, and it appeared to substantiate DuMont's claims that the number of frames could be lessened. However, there appeared to be some loss of definition and the studio show itself had too little movement on the screen upon which the question of flicker could be judged adequately.

Bell Telephone Laboratories demonstrated the use of its coaxial cable between New York and Philadelphia. Using a film show, the program originated in New York, was relayed to Philadelphia and returned here. Although the coaxial cable is limited to transmission of a 2½ megacycle band at present, there appeared to be no observable difference between the image as transmitted over the few feet of wire in the studio and the picture as it came in over almost 200 miles of cable.

On Saturday, the FCC and the press witnessed a demonstration of color television at CBS. This demonstration included both color film and a live talent studio pickup. Although most of the press party had seen the demonstration previously, the live pickup was new to the members of the FCC.

Five Stations Get Power Increases

Washington, Jan. 26.—Increases in power have been granted by the Federal Communications Commission to five stations.

Stations KGW, Portland, Ore., WEBC, Duluth, Minn., and WJAS, Pittsburgh, Pa., were authorized to increase night power from 1,000 to 5,000 watts; Station KWLC, Decorah, Ia., was authorized to change f quency from 1,270 to 1,210 kilocyc and increase power from 100 to 250 watts, and Station WTMA, Charleston, S. C., was granted a change of frequency from 1,210 to 1,220 kilocycles and increase of power from 250 to 1,000 watts.

The commission set Jan. 30 as the date for a hearing on the application of William D. and Violet Hudson for a new 1,370-kilocycle, 250-watt station at Clarksville, Tenn., and ordered set for hearings, on dates to be fixed later, the applications of the Granite District Radio Broadcasting Co. for a 1,500-kilocycle, 250-watt station at Murray, Utah; Station WSOY, Decatur, for change of frequency from 1,310 to 1,290 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and Station KSFO, San Francisco, for change of frequency from 560 to 740 kilocycles and increase of power from 1,000 watts night, 5,000 watts day to 50,000 watts.

Network Musicians to Get a Wage Increase

Musicians will receive increases of $5 weekly under the terms of a new three-year contract signed between the networks and Local 802 of the Musicians' Union. Musicians working on sustaining and commercial shows will receive a $5 raise on Feb. 1 and another of the same amount on Feb. 1, 1942.

The scale for sustaining musicians thus becomes $115 on Feb. 1 and $120 for commercial performers. Studio musicians on a 25-hour week remain at $150 weekly. The contract provides for employment of at least 40 musicians at WOR and 65 each at WABC, WEAF and WJZ.

AAA Moves to New Offices This Week

The American Arbitration Association will move to its new quarters in Rockefeller Center at the end of the week, where, in addition to the headquarters of the Association itself, the office and hearing rooms of the New York City local arbitration board will be located. The local board is scheduled to be opened next Saturday, as are the other industry arbitration boards throughout the country.

Members of local panels are scheduled to be announced by the Association this week.

'U' Salesmen Shifted

Philadelphia, Jan. 26.—William J. Doyle, Universal salesman, who has been covering the upstate Harrisburg territory for some years, takes over the New Jersey and Delaware areas, with Wilbur Grant taking over his section.

THE FINEST ACCOUNTING BOOK EVER COMPILED FOR MOTION PICTURE THEATRE OWNERS!!

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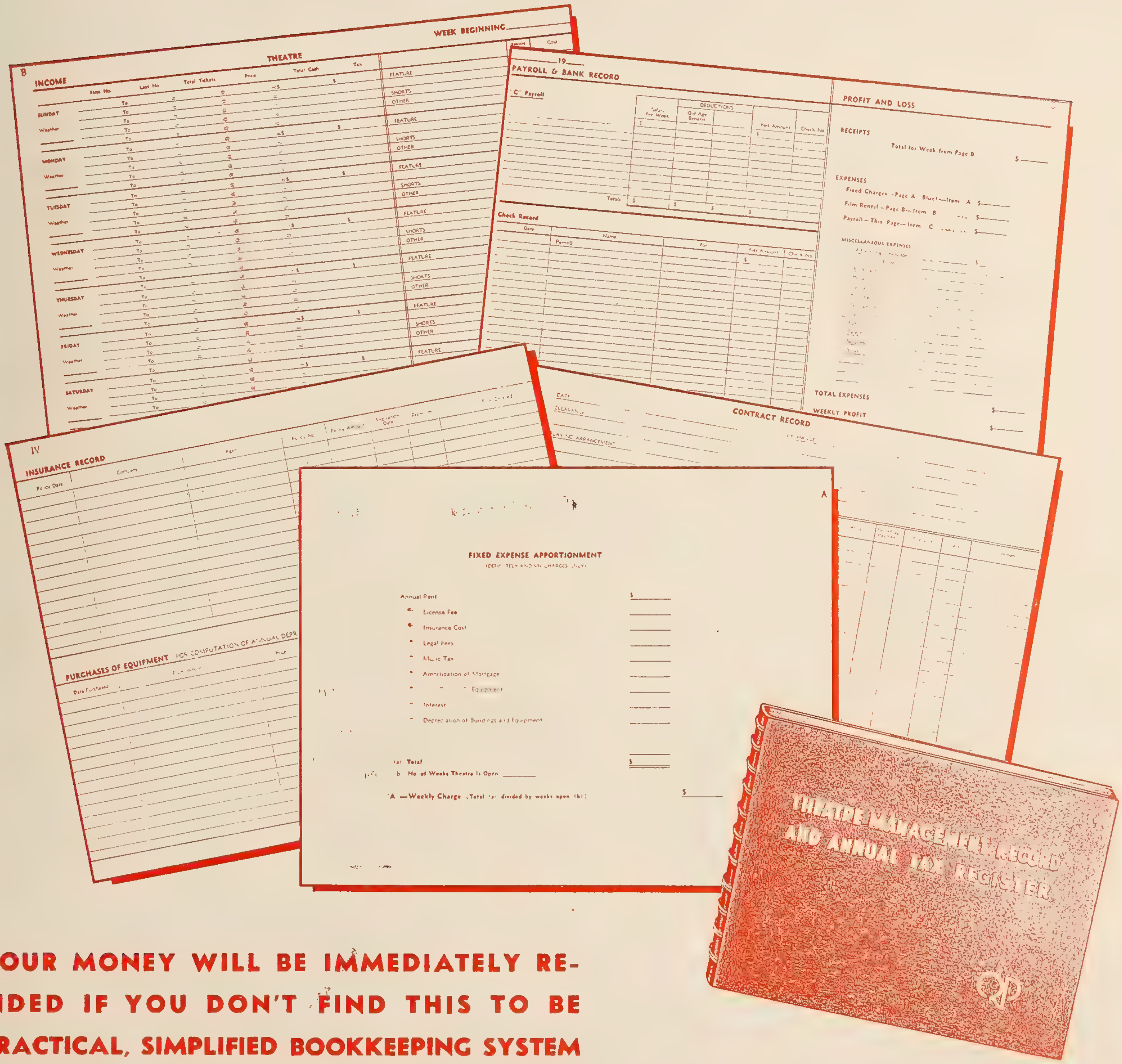
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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 19 NEW YORK, U. S. A., TUESDAY, JANUARY 28, 1941 TEN CENTS

Allied Board Ponders New Legislation

Discusses Block Booking, Divorcement at Meeting

WASHINGTON, Jan. 27.—Allied States directors at their annual meeting here today discussed the position to be taken by the organization with reference to further action to outlaw block booking entirely and bring about the divorce of exhibition from distribution and production. The sessions will continue tomorrow.

The board issued no statement regarding the action of the meeting. The New York case consent decree was the major subject at today's session, with Abram F. Myers, general counsel and chairman of the board, discussing the decree in his annual report as probably the most important development with which exhibitors

(*Continued on page* 3)

Pa. MPTO to Supply Arbitration Counsel

PHILADELPHIA, Jan. 27.—Free legal counsel will be given members of the United Motion Picture Theatre Owners of Eastern Pennsylvania when trying arbitration cases under the Federal consent decree, it was announced here today by Lewen Pizor, president.

George P. Aarons, general counsel of the organization, will serve as members' arbitration counsel. He is general counsel of the M.P.T.O.A., with which the local group is affiliated.

Pizor also announced that the U.M.P.T.O. will have a representative at all legislative committee hearings on bills affecting the industry.

Charles E. Williams, MPTO Leader, Dies

OMAHA, Jan. 27.—Charles E. Williams, president of the M. P. T. O. of Western Iowa and Nebraska and board member of the M. P. T. O. A. for Nebraska for the past 15 years, died here yesterday of a stroke which he suffered on Saturday. He was over 70. He also owned and operated the Park Theatre here. Funeral services will be held from his home here on Wednesday.

N. Y. Chain Tax Bill Exempts Theatres

Albany, Jan. 27.—Theatres for the first time in New York State are not included in a bill taxing chain stores introduced in the legislature tonight by Assemblyman Louis Bennett of the Bronx. Chain enterprises of every other description would be taxed, however.

7th Annual Quigley Awards Winners to Be Selected Today

Judging for the seventh annual Quigley Grand Awards will start at noon today in the College Room of the Hotel Astor. The event, sponsored by *Motion Picture Herald* through the Managers' Round Table, will determine the two winners of the Silver and Bronze Grand plaques from among theatre men making the best Awards showings during the four quarters of the year's competitions.

In addition to the judges already named, others expected are Gradwell Sears and Carl Leserman, Warners; Joseph Unger and C. J. Scollard, Paramount; Harry Gold and Haskell Masters, United Artists; Jack Cohn, Columbia; Louis W. Schine, Schine Theatres; T. J. Connors and Edward

(*Continued on page* 3)

BMI SIGNS DECREE; PROSECUTION ENDS

Seven-Point U.S. Decree

WASHINGTON, *Jan. 27.—The Department of Justice summarized the seven provisions of the BMI consent decree, which will go into effect when Ascap agrees to them or is compelled to accept them, as follows:*

1. BMI agrees not to exercise exclusive control, as agent for any other person, over the performing right of music of which it does not own the copyright.

2. BMI agrees never to discriminate either in price or terms among the users of copyrighted music. All BMI compositions will be offered for performance to all users of the same class on equal terms and conditions.

3. BMI agrees to license music on a pay-when-you-play basis. That is, broadcasters will be enabled to buy BMI music either on a per piece or per program basis, if they desire, and in no case will a

(*Continued on page* 9)

Is Effective Only When Ascap Likewise Drops Disputed Practices

Broadcast Music, Inc., yesterday signed a consent decree agreeing not to engage in seven practices deemed by the Department of Justice to constitute violations of the anti-trust laws. The decree will not take effect until "similar restraints have been imposed upon Ascap either by way of consent or litigation."

In return the Government dropped the criminal phases of its threatened prosecution against BMI and also eliminated NBC and CBS as defendants. The Department added that "there is no change in the Department's announced intention promptly to proceed criminally against Ascap. Negotiations looking to a settlement in that case ended abruptly in late December."

Announcement of the consent decree came when Government lawyers filed the civil anti-trust suit against BMI alone in the Milwaukee Federal Court. The decree was filed at the same time and Judge F. Ryan Duffy set next Monday as the date for a hearing on the decree.

One of the major points in the decree is the promise not to engage

(*Continued on page* 9)

Blizzard Fails to Hurt N. Y. Grosses Seriously

By SAM SHAIN

New York is digging itself out of the snow after a young blizzard which snarled traffic and caused a sudden drop in grosses yesterday.

The storm which broke upon the city Sunday night and was still blowing up early this morning, while affecting grosses and causing them to taper off, did not do serious box-office injury. Holdover product as well as new films showed unusual box-office stamina.

The city suffered from a gale on Friday, too, but recovered Saturday, which proved to be one of the best days enjoyed by Broadway theatres this season. Every picture reported a big day. There was "Kitty Foyle," at the Rivoli, which slumped badly on Friday and picked up to jump in the running on Saturday and, according to executives, may yet finish the week with about $18,000. "Philadelphia Story" reached new heights by being granted a sixth week at the Radio City Music Hall.

William F. Rodgers, M-G-M's general sales manager, returned to town yesterday and reported that his company's weekend reports on business around the country showed a significant indication of mounting national prosperity. His remarks were based on "Gone With the Wind" grosses.

"Philadelphia Story," despite the bad weather, is expected to garner $80,000 on the week. With this picture on Sixth Avenue, M-G-M is bulwarking both sides of the Times Square amusement area, for it also has another winner at the Capitol in

(*Continued on page* 3)

Estimate $300,000 From N.Y. Film Tax

ALBANY, Jan. 27.—Governor Herbert H. Lehman today estimated revenue for the fiscal year beginning next July 1 of $300,000 from the film licensing tax in New York State, in his annual budget message.

At the same time the Governor recommended no new taxes for the next fiscal year, submitting a reduction in state appropriations to $385,000,000. A recommendation for a $21,000,000 reduction in personal income taxes payable in April, 1942, also was submitted.

The film tax of three cents per foot

(*Continued on page* 3)

Reviewed Today

"Come Live With Me" is reviewed from Hollywood on Page 3.

Coast Flashes

Hollywood, Jan. 27

MONROE GREENTHAL, United Artists director of advertising and publicity, arrived today for conferences with Maurice Silverstone, U. A. chief executive, and other executives and producers on campaigns for new product.

•

Samuel Goldwyn, chairman of the Motion Picture Permanent Charities Committee, announced today that NBC has waived exclusive privileges in order that Mutual and any other networks which wish to do so may broadcast the two-hour Greek war relief show Feb. 8 from Grauman's Chinese here.

•

Jock Lawrence, assistant to Y. Frank Freeman, president of the Producers' Association, has left to attend the President's birthday ball in Washington.

More Than 200 at Dinner to Weshner

PHILADELPHIA, Jan. 27.—More than 200 members of the industry, including a number from New York, attended the Variety Club's dinner at the Bellevue Stratford Hotel here tonight honoring David (Skip) Weshner, former Warner Theatres district manager here, who recently became United Artists exploitation director at the home office. Weshner was presented a spinet piano.

Jay Emanuel was toastmaster. Among the speakers were Joseph Bernhard, Emanuel Silverstone, Louis Krouse, Morris Wolf, Ted Schlanger, Dr. Leon Levy, Arthur Silverstone and Power Gourard. Also on the dais were Nat Levy, George Skouras, Earl Sweigert, Sam Stiefel, Edward Peskay and Everett Callow, in addition to the guest of honor.

Albany Exchanges Theatres Checked

ALBANY, Jan. 27.—The eight film exchange buildings which house 10 companies here and the city's 11 theatres are currently undergoing a thorough inspection by the Municipal Building Department to check compliance with prescribed regulations.

The last checkup disclosed eight violations, with concerns summoned before the Building Commissioner for hearings. Exchanges and theatres are also checked daily by the Fire Department and the latter additionally at night for compliance, with the city and lessees cooperating.

Walker Heads Home County British Relief

SCRANTON, PA., Jan. 27.—Postmaster General Frank C. Walker, former head of Comerford-Publix Theatres Corp. has a new job. He is chairman of the British War Relief Committee for Lackawanna County.

Shortly after his speech at the dedication of the West Scranton Post Office building yesterday, Walker was offered the chairmanship. He promptly accepted. Last Thursday he was reelected a trustee of the Scranton Community Chest.

Personal Mention

MATTHEW W. FOX, vice-president of Universal, arrived yesterday from the Coast for conferences at the home office.

•

CRESSON E. SMITH, Western division sales manager for RKO, is expected back tomorrow from Milwaukee.

•

JOSEPH J. LEE, sales chief at the 20th Century-Fox exchange here, leaves next week for his annual Florida vacation.

•

JOHN MORONEY is in town for a few days.

•

MARION ROGERS is ill at the Sydenham Hospital.

•

SIDNEY EDELSTEIN and ROGER LEWIS of the Warner publicity department have left for Fort Dix, where they will begin a year's selective service training.

•

IRVING DASHKIN, manager and film buyer of the Savoy Theatre, Jamaica, N. Y., has left for Central America on his annual vacation.

•

RAY TUBMAN, manager of the Capitol, Famous Players house in Ottawa, will direct publicity for the war savings campaign in the city.

•

IONE COLBIN, Universal exchange biller at Des Moines, was recently married to JOE BRUNK of that city.

•

MADELEINE JACOBS has become engaged to ROBERT GOLDFARB, accessory sales manager for United Artists. They will be married in June.

•

MARGARET COBB, cashier of Ben Pitts' East End Theatre in Richmond, was married on Saturday to ERNEST POWELL.

ROBERT J. O'DONNELL, general manager of the Interstate circuit, is here from Dallas.

•

RICHARD A. ROWLAND, United Artists producer, will be in Philadelphia tomorrow.

•

WALTER READE left over the weekend for a four-week Miami vacation.

•

ROBERT GILLHAM, NEIL AGNEW, WILLIAM ORR, EDMUND C. GRAINGER, BOB WILBY, R. J. O'DONNELL, GRADWELL L. SEARS, DICK STOUT, J. J. UNGER, CHARLES M. REAGAN, TOM CONNORS, BARNEY BALABAN, WILLIAM F. RODGERS, CHARLES STERN, LEONARD GOLDENSON, HARRY BERNSTEIN and HARRY BRANDT having lunch yesterday at Nick's Hunting Room in the Astor.

•

DAVID LOEW, ARTHUR LOEW, RUDY MONTGELAS, J. J. MILSTEIN, JOHN BUCHANAN, SAM SHAIN, HARRY THOMAS, MORT SPRING, DAVID BLUM, CLAYTON BOND, ARTHUR MAYER, HARRY BUXBAUM, JOE LEE, DEL GOODMAN and JOHN KILPATRICK lunching at Sardi's yesterday.

•

PAT POWERS, HERB EBBENSTEIN and SAM SPRING at the Tavern for lunch yesterday.

•

HARRY COSMAN, LOUIS ASTOR, MAX WEISFELDT and LOU WEINBERG having lunch yesterday at Lindy's (next to the Rivoli).

•

MARTIN MOSKOWITZ, HAL HORNE, JOSEPH MOSKOWITZ and HAL YOUNG at Lindy's (51st St.) yesterday for lunch.

•

JOSEPH N. ANSTEAD, manager of the Loew-Poli Elm Street, Worcester, Mass., has returned to his duties after a minor arm operation.

Detroit Variety Club Chairmen Are Named

DETROIT, Jan. 27.—Seven committee chairmen to direct activities of the local Variety Club during 1941 have been appointed by Chief Barker John Howard. The chairmen are: house, Edgar E. Kirchner; welfare, William Flemion; entertainment, Wade Allen; ways and means, David M. Idzal; finance and auditing, Barney Kilbride; membership, David Flayer; sports and outdoor activities, John Howard.

Two projectors for mobile equipment used by the club to entertain "shut-ins" were donated by Walter Stebbins, in memory of his son Richard. Stebbins is manager of the Film Exchange Building here.

Honor Martin in Buffalo

BUFFALO, Jan. 27.—W. E. J. Martin, for years dramatic critic of the *Courier-Express* here, was tendered a testimonial dinner tonight by his fellow-members at the local Variety Club. E. K. O'Shea, now Central division manager for M-G-M, who was to have been toastmaster, was unable to attend, but wired his felicitations.

Conway Is Forming Philadelphia Circuit

PHILADELPHIA, Jan. 27.—Joseph Conway, operator of the suburban Egyptian here, is organizing a circuit in this area. Incorporating as Joseph Conway Theatres, he has announced acquisition of two theatres and said he will build another. He is a member of the board of Allied States.

Luncheon to Robbins

The editorial department of National Screen Service is giving a luncheon today to Allan Robbins. The occasion is his installation as production manager of National Screen Service here. He is the eldest son of Herman Robbins, president of the company.

To Fete Phila. Trainee

PHILADELPHIA, Jan. 27.—Cecil Felt, operator of the Bluebird, will be given a dinner by the Variety Club here tomorrow night as the first member of the club entering selective service training.

Lambs to Honor Buck

Gene Buck, Ascap president and member of the Lambs Club, will be honored by the Lambs at a Lincoln Day Gambol.

Warners Thanked For Aid to England

London, Jan. 27.—The Minister of Aircraft Production has cabled thanks to Harry and Jack Warner, who sent $25,000 for the purchase of aircraft.

The Warner Brothers' gift, equivalent in English money to £6,218, represent the receipts from the distribution in the United States of "London Can Take It."

'Virginia' Benefit at Paramount Tonight

Opening of "Virginia" at the Paramount on Broadway tonight will be a benefit for British war relief under the auspices of the Canadian Maple Leaf Fund.

The Paramount will clear the house and close at 4:30 this afternoon to prepare for the opening. The program will begin at 8:30 P.M., with celebrities of screen, stage and radio scheduled to be on hand. Loring Christie, Canadian Minister to the United States, and Godfrey Haggard, British consul general, are scheduled to attend. Raymond Massey will act as master of ceremonies. Madeleine Carroll, star of the Paramount film, will speak to the audience by long-distance telephone from Hollywood.

Col. Starts Series On Current Events

Columbia has signed Dorothy Thompson, Wythe Williams, Linton Wells and William L. Shirer to co-star in "What's the Shooting For," first of a short subject series called "International Forum."

The new series of one-reelers is being directed by William Rowland, and will feature other well known personalities in discussions of current events.

Houses Are Closed In Fredericksburg

FREDERICKSBURG, VA., Jan. 27.—The Board of Health here has closed all schools, theatres and other public meeting places for one week in an effort to stop the widespread influenza epidemic.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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'Glamour' and Show $16,000, Milwaukee

MILWAUKEE, Jan. 27.—Biggest attraction of the week was the "Folies Bergere" and the film "Glamour for Sale" at the Riverside with a $16,000 gross.

Estimated takings for the week ending Jan 23:

"Arizona" (Col.)
"Youth Will Be Served" (20th-Fox)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $5,300. (Average, $4,000)
"Glamour for Sale" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: "Folies Bergere." Gross: $16,000. (Average, $6,500)
"Love Thy Neighbor" (Para.)
"Victory" (Para.)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,500. (Average, $1,500)
"Honeymoon for Three" (W. B.)
"East of the River" (F. N.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $5,800. (Average, $4,500)
"Hudson's Bay" (20th-Fox)
"Tall, Dark and Handsome" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $5,500. (Average, $5,500)

'Hanna' at $8,000 Leads in Toronto

TORONTO, Jan. 27.—"Chad Hanna" and "Jennie" took $8,000 at Shea's during a period featured by a lengthy rain, a blizzard and considerable sickness. "Second Chorus" rang up $8,700 at the Imperial.

Estimated takings for the week ending Jan. 25.:

"Second Chorus" (Para.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Stage: "Memory in Rhythm" (one night). Gross: $8,700. (Average, $9,000).
"Bitter Sweet" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $7,300. (Average, $9,000)
"Chad Hanna" (20th-Fox)
"Jennie" (20th-Fox)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $8,000. (Average, $7,500)
"You'll Find Out" (RKO)
"Laddie" (RKO)
TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $3,500. (Average, $3,900)
"The Letter" (W. B.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $7,800. (Average, $9,000)

Allied Ponders New Trade Legislation

(Continued from page 1)

will have to deal in coming months.

Today's sessions also were directed to the tax situation and national defense, the tax problem assuming importance from President Roosevelt's announcement at the opening of Congress that a greater proportion of the defense program should be paid for from current revenue.

Officers will be elected tomorrow and the meeting will close with the annual banquet tomorrow night.

Award Dinner Feb. 27

HOLLYWOOD, Jan. 27.—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, has officially designated Feb. 27 for the annual awards banquet, at the Biltmore Hotel.

Asuncion Bans 'Dictator'

"The Great Dictator" has been banned in Asuncion, Paraguay, by the mayor on the ground that the film is "unfriendly" to local Italians and Germans, dispatches state.

'Birth' to Open Monday

"Birth of a Nation" in its synchronized version will open at the Ambassador on Broadway Monday.

Hollywood Review

"Come Live with Me"

(M-G-M)

Hollywood, Jan. 27

JAMES STEWART and Hedy Lamarr are here co-starred for the first time, in a Clarence Brown production which combines romance and comedy in a manner to keep the seats filled and the SRO signs constantly in evidence.

Basically, the story is that of a struggling young author who agrees to marry an Austrian refugee in order that she may stay in America and not be deported by the immigration authorities. In return, he gets from her a small weekly sum in order to keep body and soul together and keep on writing. Thus is created another of the "in name only" marital relationships towards which the screen has been so partial of late. But here the young man makes the discovery that he can write best about what he has experienced himself, does a novel on the experience and proceeds to sell it.

The publisher who buys it fancies himself in love with the lovely young refugee, whereon issue complications solved when the writer and the girl take a trip, on his insistence, to the country house of his grandmother. The details of plot structure; of production and direction by Brown; of musical score by Herbert Stothart, and of photography by George Folsey, add to the story in a way to cause the most favorable word-of-mouth audience comment. Humorous incidents and characterizations abound, while the primary story ingredient of romance is never allowed to falter from start to close.

In the chief supporting roles, Ian Hunter appears as the publisher who recognizes his own portrayal in the novel; Verree Teasdale as his wise and sympathetic wife, co-sponsor with him of a most modern marriage in which each partner goes his own way, and Donald Meek portrays a professional panhandler who has made an art of his chosen career. Outstanding in her first screen role is 80-year-old Adeline de Walt Reynolds, cast as the writer's grandmother, whose earthy wisdom does much to bring the young couple to a realization that they really are in love, and should not go through with a divorce.

The picture's title, based on part of the first line of Christopher Marlowe's poem, is given full explanation within the picture, both by specific recital and reference, and by story content. Judged by preview reaction, the picture should have as vigorous a box-office life as the poem has had survival value over four centuries.

Running time, 85 minutes. "A."* W. S.

**"A" denotes adult classification.*

Blizzard Fails to Hurt N. Y. Grosses Seriously

(Continued from page 1)

"Gone With the Wind." The picture, now at regular prices, is playing a four-show schedule daily to standing room only, and probably will gross $50,000 this week.

"Tall, Dark and Handsome" at the Roxy is absolutely disregarding the bad weather, and the business which this picture is doing is comparable to that done by "Alexander's Ragtime Band," and will probably hit over $50,000 this week. It will make way for "Western Union" at the close of the week. A Major Bowes unit heads the stage show.

With Quentin Reynolds, noted war correspondent on the Strand stage with his new short, "Christmas Under Fire," in addition to the Henry Busse Band, "High Sierra" is attracting unusual business there, probably grossing $40,000 this week, according to official estimates.

Tonight Bob Weitman is holding a gala charity opening of "Virginia," for the benefit of the Maple Leaf Fund, a British war charity, at the Paramount, and the theatre will be dark from 4:30 o'clock in the afternoon until the 8:30 p.m. performance. Glenn Miller will be on the stage with his band besides Dean Murphy and Cass Daley.

"Second Chorus," the Fred Astaire-Paulette Goddard film which is presently completing a run at that house, with Harry James and band on the stage, will finish the week ending tonight with approximately $35,000, it is estimated.

"Night Train," at the Globe is still doing swell, and officials estimate that it will gross about $8,000 on its fourth week, while both "Fantasia," at the Broadway, and "The Great Dictator," at the Astor, on two-a-day runs are reported holding up strong.

Three Companies Formed

ALBANY, Jan. 27.—Three new companies have been chartered here. They are: Equity Film Exchanges, Inc., by Bernard H. Mills, Philip Cooper and Irving B. J. Levine, New York; G & G Amusement Corp., by Henry Sandor, John Weinstein and A. Allen Saunders, New York, and Gale Agency, Inc., by Alexander Green, Robert Krauss and Edward Fleischman.

'Nanette' and Calloway Top Minneapolis

MINNEAPOLIS, Jan. 27.—While receipts held up generally well here, an influenza epidemic was beginning to have its effect on the box-office. "No, No Nanette," with a Cab Calloway stage show at the Orpheum, did $13,500.

Estimated takings for the week ending Jan. 24.

"No, No Nanette" (RKO)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Stage show including Cab Calloway band, Cotton Club Boys, Avis Andrews. Gross, $13,500. (Average, $5,500)
"Kitty Foyle" (RKO)
STATE—(2,300) (28c-39c-44c) 7 days Gross: $9,500. (Average, $6,000)
"Her First Romance" (Mono.)
MINNESOTA—(4,000) (28c-39c) 7 days. A. B. Marcus "Night At Moulin Rouge" stage unit. Gross: $9,000. (Average, $13,000)
"Tin Pan Alley" (20th-Fox)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)
"Gallant Sons" (M-G-M)
GOPHER—(998) (28c) 6 days. Gross: $2,300. (Average, $2,500)
"Thief of Bagdad" (UA)
5 days, 4th week.
"Queen of Destiny" (RKO) 4 days.
WORLD—(350) (28c-39c-44c-55c) Gross: $900 and $400, total $1,300. (Average, $1,600)
"Doomed Caravan" (Para.)
"Remedy for Riches" (RKO)
ASTER—(900) (15c-28c) 5 days. Gross: $1,800. (Average, $1,800)

Estimate $300,000 From N.Y. Film Tax

(Continued from page 1)

on original films and two cents per foot on prints, imposed on features and short subjects which are submitted to the censor board, brought in $309,635.50 in the fiscal year ended last June 30. The Governor estimated that a pari-mutuel horse race betting tax of $5,750,000 would be paid in the next fiscal year, which compares with $5,500,000 received in the first 12 months' operation of the new law.

The Governor's recommendations are $9,100,000 less for the new fiscal year than the current $394,200,000 state budget and will permit the repeal of the present one per cent emergency tax on personal incomes.

Judging for Quigley Awards Here Today

(Continued from page 1)

Saunders, M-G-M; William C. Gehring, 20th Century-Fox; R. J. O'Donnell, Interstate circuit, Dallas, and R. B. Wilby.

Also invited are representatives of the advertising and newspaper trade press, who will attend as observers and guests at a luncheon given by Martin Quigley following the judging. Publications accepting invitations include *Editor & Publisher*, *Printers' Ink*, *Advertising Age* and *Tide*.

Selby Oppenheimer Dies

SAN FRANCISCO, Jan. 27.—Selby C. Oppenheimer, outstanding western impresario identified with music, concert, opera and stage presentations here for years, died in a local sanitarium after a brief illness.

TALL, DARK and
HANDSOME"
SMASHES ROXY
RECORDS TO
SMITHEREENS

20th CENTURY FOX

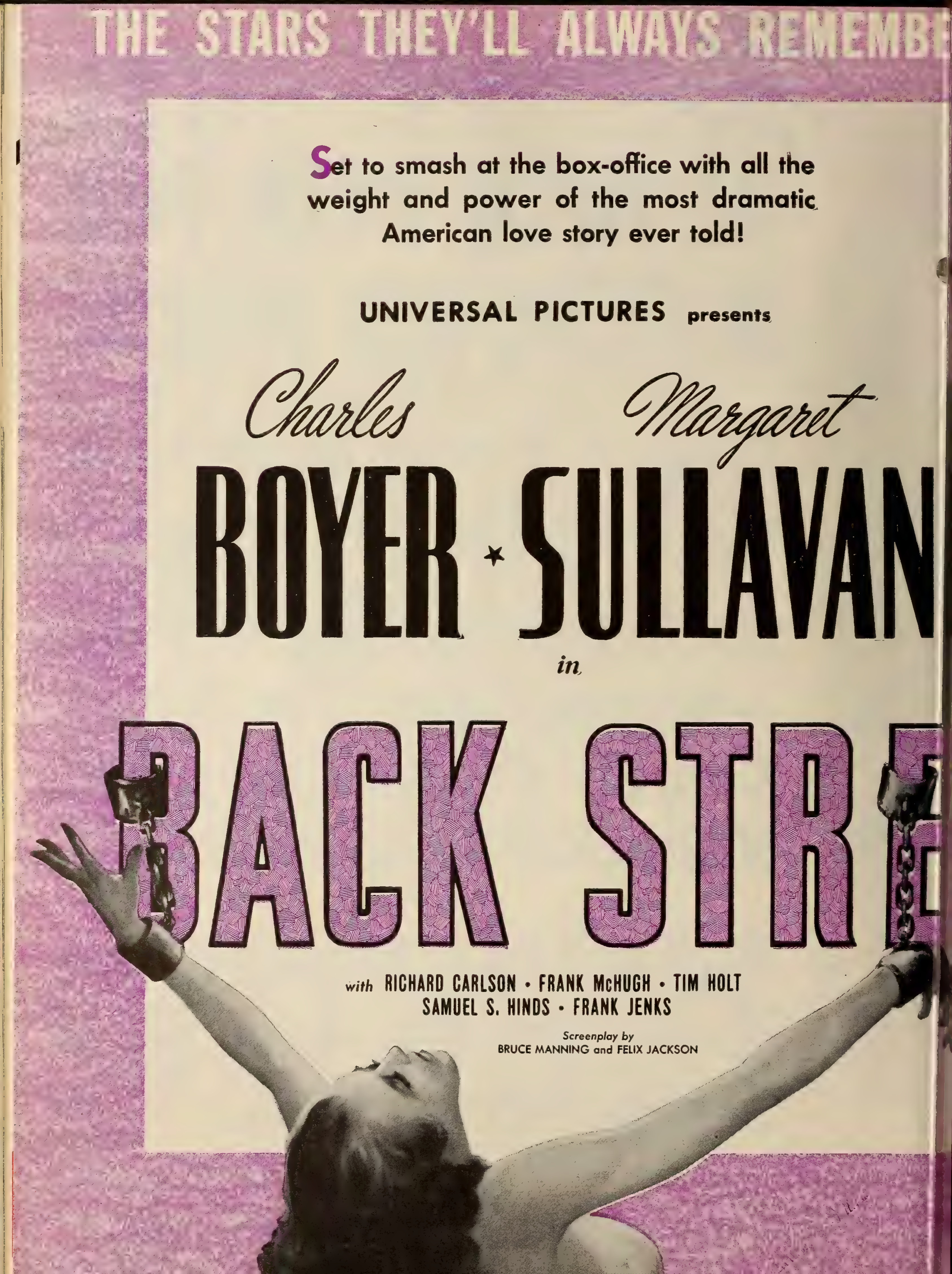
Of course — — IT'LL BE HELD OVER FOR A SECOND WEEK!

Biggest Sunday business in the history of the house!

Beating everything in sight —bigger than "The Rains Came", "Drums Along The Mohawk", "Jesse James"!

Builds and bounds and grows in the face of a raging blizzard!

And no wonder—when the N.Y. Daily News says "Beg, borrow or steal—but don't miss it!"



THE STARS THEY'LL ALWAYS REMEMB

Set to smash at the box-office with all the weight and power of the most dramatic American love story ever told!

UNIVERSAL PICTURES presents

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in

BACK STR

with RICHARD CARLSON • FRANK McHUGH • TIM HOLT
SAMUEL S. HINDS • FRANK JENKS

Screenplay by
BRUCE MANNING and FELIX JACKSON

N A PICTURE THEY'LL NEVER FORGET!

ET

Based on the novel by FANNIE HURST

Directed by
Robert Stevenson

Produced by
Bruce Manning

WORLD PREMIERE!

MIAMI BEACH! FEBRUARY 4th!

With America's foremost motion picture critics from key cities all over the country in attendance!

NATIONAL RELEASE FEBRUARY 7th!

'Love' Takes Good $12,700 Frisco Gross

SAN FRANCISCO, Jan. 27.—"This Thing Called Love" and "Ellery Queen, Master Detective" at the Orpheum drew $12,700 in the second week. "Play Girl," aided by Earl Carroll's "Vanities" on the stage of the Golden Gate, took $23,000.

Estimated takings for the week ending Jan. 21-24:

"Play Girl" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Earl Carroll's "Vanities." Gross: $23,000. (Average, $15,000)
"Comrade X" (M-G-M)
"Romance of the Rio Grande" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $16,500. (Average, $16,000)
"Santa Fe Trail" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $5,200. (Average, $6,000)
"This Thing Called Love" (Col.)
"Ellery Queen, Master Detective" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $12,700. (Average, $8,000)
"Thief of Bagdad" (U.A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 4th week. Gross: $5,800. (Average, $8,000)
"Love Thy Neighbor" (Para.)
"Murder Over New York" (20th-Fox)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $9,000. (Average, $11,500)
"Victory" (Para.)
"Case of the Black Parrot" (W. B.)
WARFIELD—(2,740) (15c-35c-40c-50c) 7 days. Gross: $15,500. (Average, $12,000)
"This Is Ireland" (Irish-American)
CLAY—(400) (15c-35c-45c) 4th week. Gross: $700. (Average, $1,000)

Kyser Sets Detroit Record at $54,500

DETROIT, Jan. 27.—A gross of $54,500 and an attendance of 127,000 broke all previous records at the Fox during the past week with Kay Kyser the stage attraction with his "College of Musical Knowledge," coupled with the film, "Trail of the Vigilantes." Kyser held the previous record at the Fox of $49,000.

Estimated takings for the week ending Jan. 23:

"Arizona" (Col.)
"Ellery Queen Master Detective" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $5,500)
"Love Thy Neighbor" (Para.)
"Seven Sinners" (Univ.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Trail of the Vigilantes" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Stage: Kay Kyser, orchestra with his "College of Musical Knowlege. Gross: $54,500. (Average, $15,000)
"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
MICHIGAN—(4,000) (15c-39-44c-55c-65c) 7 days. Gross: $12.000. (Average, $12.000)
"Santa Fe Trail" (W.B.)
"East of the River" (W.B.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $9.500. (Average, $7.000)
"The Philadelphia Story" (M-G-M)
"Maisie Was A Lady" (M-G-M)
UNITED ARTISTS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $13,000. (Average, $10,000)

Coast SMPE to Meet

HOLLYWOOD, Jan. 27.—The Pacific Coast Section of the Society of Motion Picture Engineers on Thursday night will hear Michael Leshing, 20th Century-Fox laboratory head; J. H. Van Leven and G. R. Crane of Erpi, in a discussion of improved laboratory equipment.

Installs Letter Box For Service Mail

Toronto, Jan. 27.—A free letter box for communications to Canadian soldiers, airmen and naval men on duty in any part of North America, Europe and Africa has been installed in the lobby of the Uptown Theatre, house of the Famous Players Circuit, by Manager Fred Trebilcock. The Uptown pays the postage on all properly addressed letters from next-of-kin.

Forecast Defeat of Two Nebraska Bills

LINCOLN, Neb., Jan. 27.—Observers today forecast speedy defeat for two luxury tax bills directed at the film industry, which have been introduced in Nebraska's unicameral legislature by Senator E. M. Neubauer.

The first levies a tax of 10 per cent on all admission tickets, whether paid or free, with the exhibitor to make his returns to the state treasurer for the state assistance fund. The second requires distributors to obtain a permit from the railway commission at an annual fee of $1,000, plus $1 for each reel, and makes it unlawful for any exhibitor to buy more film "than is reasonably necessary for use in his theatre."

Will Tighten Ontario Theatre Regulations

TORONTO, Jan. 27.—Following the coal-gas episode at the Doric Theatre here, owned by Sam Lester, independent exhibitor, O. J. Silverthorne, director of the Theatres Branch of the Ontario Government, has ordered a checkup of all theatres in Ontario.

There also will be a tightening of theatre regulations generally, it was announced, particularly in connection with the admission of juveniles and the protection of patrons. One point that is being stressed is that the constant presence of a matron is necessary at all performances to which children are admitted without a parent or guardian.

Directors Ask New Minimum Wage Rate

HOLLYWOOD, Jan. 27.—A minimum wage scale ranging from $300 to $500 weekly for directors, depending on whether they handle features or shorts, was asked over the weekend by the Screen Directors Guild, which placed before a committee of producers and directors demands for changes in the basic agreement.

If the conciliation committee, consisting of Roy J. Obringer and B. B. Kahane for the producers and John Ford and George Stevens for the directors, does not agree, the matter will go to an arbitration committee. The latter group includes Al Lichtman and Jacob Karp for the producers and John Cromwell and Ernst Lubitsch for the guild. Under the proposed wage scale, directors on short subjects, montages and second units would receive $300 weekly; Western features and serials, $350, and features $500 weekly.

'Arizona' Is High in Omaha with $6,400

OMAHA, Jan. 27.—"Arizona," dualed with "Always a Bride," was good for $6,400 at the Brandeis. "Cheers for Miss Bishop" grossed $7,800 at the Omaha.

Estimated takings for the week ending Jan. 22-23:

"Arizona" (Col.)
"Always a Bride" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $6,400. (Average, $4,000)
"Cheers for Miss Bishop" (U. A.)
"Captain Caution" (U. A.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,800. (Average, $6,000)
"Four Mothers" (W. B.)
"Hullabaloo" (M-G-M)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $8,100. (Average, $7,200)

Joan Crawford Sued

A breach of contract suit for $25,000 was filed yesterday in N. Y. Supreme Court by Lee Morrison, producer, against Joan Crawford. The plaintiff claims Miss Crawford violated an agreement made in November, 1939, to appear as the lead in "Death of a Rose." As a result, the complaint states, the financial backers of the play withdrew their support.

Film Consent Decree Called 'Unique' in Fordham Review

Calling the consent decree in the Government's anti-trust suit against the film industry "unique" in anti-trust litigation, William F. Whitman, New York attorney and secretary of K.A.O., has written an exhaustive analysis of the decree in the current issue of the *Fordham Law Review.*

"The decree differs from any which has been entered into under the anti-trust laws in the method of enforcement of its provisions," said Whitman. "Instead of merely prohibiting certain acts and leaving enforcement to the ordinary processes of contempt proceedings instituted by the Government, the decree provides for a forum in which independent exhibitors, who are not parties to the decree, may have certain complaints promptly heard and disposed of without any action by the Government or any court proceedings."

After setting forth how the arbitration system in the decree works and that contempt proceedings cannot be started against a consenting defendant unless he refuses to submit to arbitration, Whitman says: "The decree takes away no right of the exhibitor to bring suit in court under the anti-trust laws if he desires to do so."

Whitman indicates that one of the reasons for unique features of the decree is that "the motion picture is unique in many of its essentials and it has not been possible to find much guidance from other lines of business." According to Whitman, the decree in some respects "sets up a code of conduct for the motion picture industry."

'Santa Fe' and Noble $47,000 Chicago Draw

CHICAGO, Jan. 27.—"Santa Fe Trail" and a stage show headed by Ray Noble took $47,000 at the Chicago Theatre. "Phantom Submarine," with a Lou Holtz unit on the stage of the State-Lake, drew $24,000.

Estimated takings for the week ending Jan. 24:

"Love Thy Neighbor" (Para.)
APOLLO—(1,400), 35c-55c-75c, 7 days. 2nd week. Gross: $6,000. (Average, $6,500)
"Santa Fe Trail" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. 2nd week. Stage: Ray Noble. Gross: $47,000. (Average, $32,000)
"Dr. Kildare's Crisis" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $7,000. (Average, $5,000)
"Hullabaloo" (M-G-M)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Rosemary Lane, Variety show. Gross: $16,500. (Average, $13,000)
"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days. 4th Week. Gross: $16,000. (Average, $13,000)
"Chad Hannah" (20th-Fox)
HOOSEVELT—(1,500) (35c-55c-75c) 7 days. 2nd week. Gross: $8,500. (Average, $11,000)
"Phantom Submarine" (Col.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Lou Holtz unit. Gross: $24,000. (Average, $15,000)
"Comrade X" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. 3rd week. Gross: $8,000. (Average, $14.000)

Legion Approves 5 Of Seven New Films

Of seven new pictures reviewed by the National Legion of Decency for the current week, five were approved—two for general patronage and three for adults—and two were classified as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Along the Rio Grande," "Land of Liberty." Class A-2, Unobjectionable for adults—"Behind the News," "Girl in the News," "Six Lessons from Madame La Zonga." Class B, Objectionable in Part—"Come Live With Me," "Night at Earl Carroll's."

Interstate Asks New Jorgenson Verdict

DALLAS, Jan. 27.—Interstate Circuit has filed a motion to have the jury verdict of $1,500 set aside in the anti-trust action brought against the circuit in Federal Court here by H. N. Jorgenson, exhibitor.

The circuit seeks to have judgment entered on its plea for a directed verdict made during the trial, or as an alternative, a new trial. If both motions are overruled, the circuit plans to carry an appeal to the Circuit Court of Appeals at New Orleans.

Grant Relatives Killed

Five relatives of Cary Grant were killed during a recent air raid on Bristol, England, according to news dispatches. They were John Henry Leach, uncle of Grant, and Leach's wife, daughter, son-in-law and grandson.

Benny Due Today

Jack Benny is scheduled to arrive here this morning via American Airlines from the Coast.

Urge Change In Practices Of Commission

WASHINGTON, Jan. 27.—Broad changes in the procedural practices of the Federal Communications Commission and other Federal administrative agencies, involving separation of judicial and prosecutive functions, were recommended over the weekend by the Attorney General's Committee on Administrative Procedure.

The committee's recommendations were based on 23 months of study of the structure and operation of more than 30 Federal agencies. Its investigation of the communications commission disclosed the need for broad reforms to smooth the path of applicants and bring about uniformity of practice.

Investigation of the commission's operations disclosed that it is severely pressed by lobbyists, both from Congress and outside, but no attempt was made to evaluate the effect of Congressional pleas upon either individual commissioners or the commission as a whole.

Zenith to Have New Chicago FM Station

CHICAGO, Jan. 27.—Zenith Radio will construct a new FM station atop the 45-story Field Building here, making FM available to 5,000,000 persons in the Chicago area.

In doing this, Zenith will increase the power of its present FM station from 5,000 to 50,000 watts and move it from its present location. A nine-year lease has been signed for the Field Building quarters, in the financial section, effective May 1.

The new station will serve an area more than 70 miles in radius. It is estimated that there are about 700 FM receivers in the area. Zenith sets sold for $100 or more in the future will provide for FM.

No British Change In Score Charges

LONDON, Jan. 27.—British exhibitors are likely to continue during the war to pay the same music fees as they have during the past year to the Performing Right Society.

A new agreement has been negotiated and awaits completion. It shows certain small modifications but in general follows the lines of the last agreement.

When the last contract was negotiated between the Cinematograph Exhibitors Association and the P.R.S. it was stated that next time the licensing society would demand increases. War conditions have prevented this.

20th-Fox Signs Gabin

HOLLYWOOD, Jan. 27.—Jean Gabin, French actor, has been signed by 20th Century-Fox and is expected to report at the studio in March. He is now in France. Jeon Renoir, French director recently signed by 20th-Fox, is here now and it is understood he will direct Gabin's first film.

BMI Signs U. S. Decree, Ending Trust Prosecution

(Continued from page 1)

in the "all-or-none policy" as applied to exhibitors, restaurants, hotels, radio stations and all commercial users of BMI music. Also dealt with are rights of transcription companies to use BMI music and restricting of price control on recording of music.

Meanwhile, in Philadelphia, Isaac D. Levy, member of the CBS board and chairman of the board of WCAU, Philadelphia, and John G. Paine, Ascap general manager, in a debate, both asserted that the radio music war would be settled within a month. Levy asserted that BMI was "recognized" under the consent decree and added that Ascap would be the only one indicted. Paine said that both sides "are going to get together soon," while Levy declared: "Don't worry. This will all be settled in a month or so."

Neville Miller, president of the National Association of Broadcasters and BMI, declared that the provisions "embody both the spirit and intent behind the original organization of BMI."

"BMI was formed after the broadcasters of America had vainly struggled for 10 years to induce Ascap to discontinue its monopolistic practices. These practices compelled broadcasters to buy popular music as a whole, regardless of how little of it the individual broadcaster might demand on the receipts of all programs, whether these programs used Ascap music, other music or no music."

7-Point Decree

(Continued from page 1)

broadcaster be required to pay a fee which is based on programs which carry no BMI music.

4. BMI will never require a license from more than one station in connection with any network broadcast. Licenses will be issued to networks or originating stations.

5. Manufacturers of electrical transcriptions, or sponsors, or advertisers on whose behalf such electrical transcriptions are made, will, if they so desire, be able to obtain licenses for the use of such transcriptions for broadcast purposes.

6. BMI agrees never to engage in an all-or-none policy in licensing its music. That is, motion picture exhibitors, restaurants, hotels, radio stations, and all commercial users of BMI music will be able to obtain the right to perform any BMI compositions desired without being compelled to accept and take the entire BMI catalogue.

7. BMI agrees that it will not attempt to restrict the performance rights of its music for the purpose of regulating the price of recording its music on electrical transcriptions made for broadcast use.

2 Philippine Outlets Join NBC; Total 227

Two Philippine Island stations, HZRH, Manila, and KZRC, Cebu, have become affiliated with NBC. Both stations operate standard broadcast band transmitters as well as short wave outlets. The direct point-to-point transmission rate will be $440 per hour and the delayed broadcast rate will be $180 per evening hour. With the addition of the two stations, NBC now has *227* affiliates.

WHDL, Olean, New York, will join NBC-Blue Saturday. It will be a bonus outlet available to sponsors using WJTN, Jamestown, N. Y. WHDL operates on 1,420 k.c. with 250 watts unlimited time. The cut-in announcements rate will be $6 nights and $3 days.

Effective Feb. 15, WGBF, Evansville, and WBOW Terre Haute, Ind., will be available only as a two-station package, supplementary to either the Red or Blue basic networks.

Drops Circuit Post To Operate Station

CINCINNATI, Jan. 27.—L. B. Wilson, who has been president of the L. B. Wilson Theatres in Covington, Ky., since the organization of the company in 1922, has resigned that post to devote his entire time to operation of Station WCKY, local CBS affiliate, of which he is president and general manager. George L. Hill was elected circuit president, Thomas E. Hill, secretary, and William Macklin, treasurer. Wilson will be vice-president.

Seek New Station In West Virginia

WASHINGTON, Jan. 27.—Application for authority to build a new 1,420-kilocycle, 100-watt broadcasting station at Wheeling, W. Va., has been filed with the Federal Communications Commission by the Tri-State Broadcasting Corp. of that city.

The commission also disclosed that it tentatively had fixed March 17 as the date for a hearing on the application of Station WDGY, Minneapolis, for change of frequency from 1,180 to 1,100 kilocycles and increase of power from 1,000 watts night, 5,000 watts day, limited to KOB, to 5,000 watts night, 10,000 watts day, unlimited.

Musicians' Union Reelects Cowardin

RICHMOND, VA., Jan. 27.—Frank P. Cowardin has been reelected president of the Richmond Musicians' Association. Other officers, also reelected, include: Marshall Rotella, vice-president; Carl Wallnau, secretary, and William Troxell, treasurer. The board of directors includes: Jay Kaufmann, J. R. Boykins, Henry Bryan, Claude Elam, Gordon Smith, Randolph Robertson and Nathan Oppleman.

831 Stations in U. S.

WASHINGTON, Jan. 27.—Replying to a communication, the FCC advises that as of Jan. 1 there were 831 standard broadcast stations licensed and 51 construction permits outstanding.

Hearings Will Be Held Soon On Television

WASHINGTON, Jan. 27.—Television interests today were assured by Chairman James L. Fly of the Federal Communications Commission that formal hearings on the adoption of standards leading to commercialization will be held "in the near future."

The chairman's promise was made at the opening of a conference at which chairmen of the nine panels comprising the National Television Standards Committee laid before the FCC "progress" reports.

The chairman of each panel explained at length the decisions which had been reached on the standards problems in its jurisdiction, in some instances with minority reports of disagreement with conclusions reached.

It was disclosed that a number of minor changes had been made in the standards originally proposed by the Radio Manufacturers Association as a result of further experimentation. FM was held to be the best method for sound transmission in television.

Color will have a prominent place in television, the commission was told, but there are a number of problems yet to be ironed out.

The television representatives were warned by Chairman Fly at the outset of the meeting that the question of adopting standards was not under consideration, nor the question of commercialization, both of which will be dealt with later, after study of the committee reports presented today.

Directors Reelect Officers of Mutual

W. E. Macfarlane was reelected president and Alfred J. McCosker chairman of the board by the Mutual board of directors at the annual meeting in Chicago last week, it was announced yesterday.

Theodore C. Streibert and Lewis Allen Weiss remain executive vice-presidents; E. M. Antrim, executive secretary and treasurer; Fred Weber, general manager, and Miles E. Lamphiear, auditor. Directors elected at the annual stockholders' meeting were Macfarlane, Antrim, McCosker, Streibert, H. K. Carpenter, John Shepard III, Weiss, Willett Brown and Weber.

A contract admitting the Buffalo Broadcasting Corp., operators of WGR, Buffalo, to membership in the network was approved by the directors. Operating board members elected were: Frank P. Schreiber, newly appointed member from WGN, Chicago; Streibert, Shepard, J. E. Campeau, Hulbert Taft, Jr., Carpenter, Weiss, Eugene O'Fallon, William Dolph, Weber and Edward W. Wood, Jr.

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Directed by SAM WOOD
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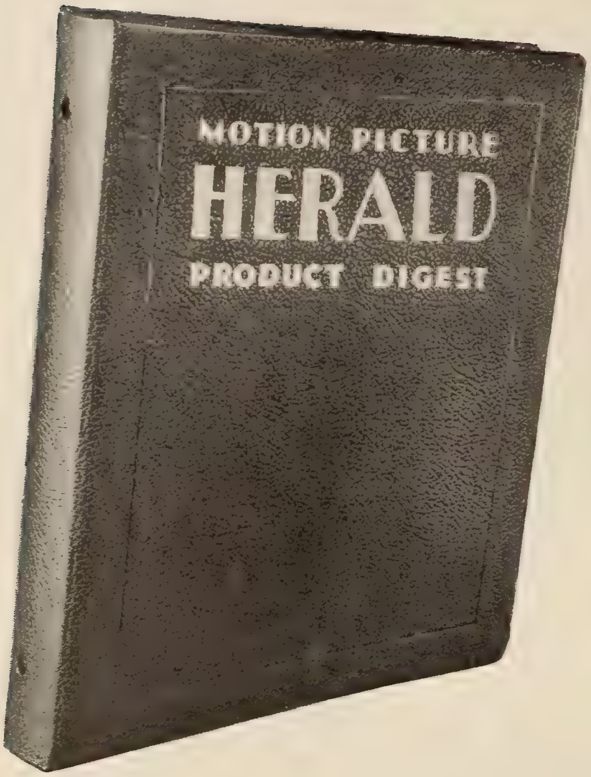
Product Digest is Motion Picture Herald's new and valuable exhibitor service section. It is a master index to all information available to date on 1940-41 product and provides synopses, casts, release dates, review dates, audience classification, Legion of Decency ratings, running time, production numbers and other information of inestimable value.



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Quigley Award Value Is Cited By Bernhard

Stresses Importance at Annual Judging

By SAM SHAIN

"The Quigley Awards will be more important and influential in the future than ever before."

Joseph Bernhard

That's what Joseph Bernhard, general manager of Warner Bros. Theatres, told a distinguished gathering of showmen from many branches of the industry yesterday, at a luncheon at which he was the chief speaker and which was held at the Hotel Astor, in connection with the judging of the Seventh Annual Quigley Grand Awards conducted by the Managers' Round Table Department of *Motion Picture Herald*. Martin Quigley was toastmaster. Other speakers were R. J. O'Donnell of the Interstate Circuit and A-Mike Vogel.

In attendance were industry leaders from every part of the country, including W. G. Van Schmus, managing director of the Radio City Music

(*Continued on page 3*)

Edward Small Plans 5 Features for U. A.

HOLLYWOOD, Jan. 28. — Edward Small announced today plans for five features, to be produced for United Artists release during 1941.

Within two weeks, Small will start work on two of the five pictures. The five are "The Corsican Brothers," announced as part of the current season's program; and "My Official Wife," by Ernest Vajda; "Sabotage;" "She Was a Working Girl," and a fifth, as yet untitled.

Awards Pictures

Pictures of some of the judges and speakers at the luncheon marking the Quigley Grand Awards selections, at the Hotel Astor yesterday, will be found on page 6.

Delay Variety Club Affair to May 15-17

Pittsburgh, Jan. 28.—The Variety Club national convention has been postponed from April 17-19 to May 15-17, at the Traymore Hotel in Atlantic City.

Jay Emanuel is program chairman, and other committees will be announced soon by national Chief Barker John Harris.

20th-Fox to Make No Sales Changes Because of Decree

Twentieth Century-Fox will make no change in either its distribution setup or in personnel for selling operations under the consent decree unless subsequent developments make such changes necessary, Herman Wobber, general sales manager, said yesterday on his return to New York from several weeks of conferences at at the studio on company operations under the decree.

"At present," Wobber said, "we see no necessity for making any revision in the sales organization, such as increasing sales districts, or adding to the home office sales staff. Without such changes there is no necessity for putting on additional salesmen. This is our decision at the moment, but if, in three or four months we see the necessity for making such changes,

(*Continued on page 3*)

Universal Shows $2,390,722 Profit, Increase of 107%

Net profit of $2,390,722 after all charges and provision for Federal taxes was reported by Universal Pictures Co., Inc., yesterday for the 53 weeks ended Nov. 2, 1940, the company's past fiscal year. The result represents a gain of 107 per cent over the net profit of $1,153,321 for the preceding fiscal year.

N. J. Blumberg

Universal reported gross income for the year of $27,677,027, compared with $23,878,868 for the preceding year, and representing a four-year gain in gross income of $10,269,373. The company's gross foreign revenue, during its first full year of war time operations, amounted to $10,123,366 last year, compared with $8,987,128 for the preceding year. Of this amount, British revenue accounted for £1,306,187, compared with £859,084 for the 1939 fiscal year. Universal withdrew $1,300,000 from Britain last year and has $1,524,000 blocked in London, according to the report.

J. Cheever Cowdin, chairman of the board, states that while Universal increased its domestic and Canadian

(*Continued on page 3*)

Urge Showmen to Serve As Defense 'Dollar Men'

PHILADELPHIA, Jan. 28.—More than 200 exhibitors who attended a meeting on industry cooperation with the Government on national defense were urged by Harry Brandt, New York circuit operator and principal speaker at the meeting, to serve as "dollar a year" men on the defense program.

Brandt, outlining plans for local participation in the program, said that it was designed not only as an aid for the Government but to retain "control of the screen in industry hands." He predicted that Lowell Millet would be designated by President Roosevelt as Government coordinator for the industry's defense activities, and said that the coordinator, working with exhibitors, would decide questions of policy such as reduced admissions for enlisted men and draftees. All requests for the use of stage or screen for defense activities, when made locally, will be passed upon by the national committee, Brandt said, to relieve the exhibitor of responsibility.

"Power for Defense," a patriotic subject for which National Screen Service donated 4,000,000 feet of film, will be distributed by the industry committee. Brandt also extolled Warners' patriotic shorts and said that the company eventually will provide them without charge to exhibitors unable to pay for them.

Jay Emanuel, head of the local committee, presided. William Crockett, president of M.P.T.O. of Virginia, who attended, will relay instructions to a convention of his organization in Washington next week.

Decree Talks Are Resumed By U.S., Ascap

Conferences Never Off, Ascap Asserts

Negotiations for a consent decree are continuing between Ascap and the Department of Justice, an official of the music society said yesterday, adding that the negotiations are not the result of the acceptance by Broadcast Music, Inc., of a consent decree conditioned upon Ascap's submission to similar terms.

"Conferences between Ascap attorneys and the Government regarding a consent decree were not 'broken off' last month," the Ascap official said. "Statements to the effect that they had been were in error. Those conferences have been going on continuously. When anything results from them which is regarded as acceptable to the society it will be submitted to the board of directors immediately for action."

"This does not represent any change of policy or attitude on Ascap's part," the official continued. "We have always hoped for an early settlement of the differences between the Government and the networks, on the one hand, and ourselves on the other. The acceptance of a consent decree by B.M.I. has not influenced our course in any particular. In fact, we have not even seen that decree."

It was stated, however, that Ascap does not regard the B.M.I. decree as having any immediate significance for the music society due to what was

(*Continued on page 3*)

Universal, Pathe Lab in 2-Year Deal

Universal board of directors at a meeting yesterday approved a two-year contract for the handling of all of its laboratory work by Pathe Laboratories. The work was formerly handled by Consolidated Film Industries.

The change follows the recent refunding by Universal of a matured mortgage of $1,000,000 which had been held by Consolidated on the Universal studio since 1934. A condition of the old mortgage gave Consolidated the laboratory work. Universal stated that a "substantial" saving in cost will result from the new contract.

Coast Flashes

Hollywood, Jan. 28

Shirley Temple, Ann Southern and Eleanor Powell will be starred in "Panama Hattie," current Broadway musical, which M-G-M announced today it had acquired for $140,000. Arthur Freed will produce.

•

Joseph M. Schenck, chairman of the board at 20th Century-Fox, left tonight by train for Kansas City where he will take a plane to New York.

•

Commander Arthur Jarrett of the Royal Navy and British Ministry of Information will arrive tomorrow for conferences with Darryl Zanuck and William Goetz on "The Eagle Flies Again," 20th Century-Fox production dealing with the Royal Air Force.

•

Harry Sherman returned here today from Chicago, where he attended the Balaban & Katz testimonial dinner for Barney Balaban late last week.

Meet in Chicago on Greek Relief Drive

CHICAGO, Jan. 28.—The progress of the current drive throughout the country for the Greek Relief Fund was the subject of a meeting here tonight.

Among the theatre executives who were in attendance were the following: John Balaban, of Balaban & Katz; James Coston, Warner Theatres; Van Nomikos; Harold Fitzgerald, operating head of Wisconsin Amusement Co.; Harry Reckos; Spyros Skouras, head of National Theatres, and others.

Personal Mention

SIDNEY R. KENT president of 20th Century-Fox, is expected tomorrow from Hollywood.

•

JAMES R. GRAINGER, president of Republic, is in Dallas. He will stop over in Washington prior to returning here on Monday.

•

ROBERT WEITMAN, JOHN BARRY, SIDNEY PHILLIPS, I. E. LOPERT, TAYLOR HOLMES, ROBERT NATHAN, LEIF ERICKSON, NAT KARSON, BROCK PEMBERTON, MAX GORDON and JOHN GOLDEN at Sardi's yesterday for lunch.

•

RALPH HUGHES, assistant manager at the Regent Theatre, Ottawa, has enlisted in the Royal Canadian Engineers.

•

LOUIS NIZER and MRS. FRANKLIN D. ROOSEVELT lunching at the Hotel Algonquin yesterday.

•

NATE BLUMBERG, CHARLES STERN, HARRY GOLD and JOSEPH PINCUS having lunch yesterday at Lindy's (51st St.).

•

ABE MONTAGUE, WILLIAM MOSES and LOU WEINBERG at Lindy's (next to the Rivoli) yesterday for lunch.

•

JAMES SMITH, DOUGLAS ROTHACKER, WILLIAM BARNETT and CHARLES PAINE lunching yesterday at the Tavern.

•

GEORGE KEENAN, manager of the Grand Theatre, Ellsworth, Me., is visiting here.

•

NEIL F. AGNEW, Paramount vice-president and distribution head, left for Toronto last night for several days of conferences with J. J. FITZGIBBONS, managing director of Famous Players Canadian Corp.

•

DEL GOODMAN, newly appointed Canadian sales manager for Paramount, will leave for Toronto on Friday to assume his new post.

•

ABE SCHNEIDER, Columbia treasurer, will return to New York today from a three-week vacation in Florida.

•

LESTER COWAN will arrive from the Coast by plane tomorrow.

•

GEORGE SKOURAS, RICHARD RODGERS, MAX DREYFUS, MAX A. COHEN and ALEXANDER WOOLLCOTT lunching at Nick's Hunting Room in the Astor yesterday.

•

BEN SIMON, manager for 20th Century-Fox in New Haven, and MRS. SIMON are taking their vacation in short motor trips.

•

The "grippe list" in the New Haven area includes: EARL WRIGHT, 20th Century-Fox; JACK BRASSIL, Loew - Poli Theatre; TIMOTHY O'TOOLE, Columbia manager; EDWARD RUFF, Paramount manager; THOMAS MALLER, manager of the Lenix, Hartford; RANDY MALLER, Strand, New Britain; JACK SANSON, State, Manchester; FRANK MULLEN, AL DAVIS and ETHEL PHILLIPS of M-G-M, New Haven.

•

FINLEY MCRAE, trustee of the houses owned by the estate of HARRY M. BROUSE, has been elected president of the Ottawa branch of the Canadian Red Cross.

U.A. Motion Up in Oklahoma Friday

A hearing on United Artists' motion to dismiss the Government's amended complaint in the Griffith Amusement Co. anti-trust suit will be held in Federal court at Oklahoma City on Friday. Edward C. Raftery of O'Brien, Driscoll & Raftery, United Artists counsel, is en route to argue the motion.

The court is expected to reserve decision following the hearing. Meanwhile, answers of United Artists, Columbia and Universal to Government interrogatories in the Oklahoma City action, which were to have been due Saturday, are being deferred until the motion to dismiss is decided.

Brothers in Theatre

MONTGOMERY, Ala., Jan. 28. — Charles T. Rook, manager of the Charles Theatre, has disclosed the association with him as associate manager of his brother, Albert E. Rook.

Newsreel Parade

LATE developments in the international situation shown in the new issues include the British victory at Bardia, an Axis attack on British ships in the Mediterranean and the arrival in Canada of Nazi prisoners of war. Also recorded are the arrival of Lord and Lady Halifax at Annapolis on a British battleship, and Har Hopkins' visit to Prime Minis Churchill in London. The contents:

MOVIETONE NEWS, No. 41—Halifax arrives. Italian prisoners taken at Bardia. British ships in Mediterranean battle. Hopkins in London, King George and Queen Elizabeth in Sheffield. Nazi prisoners in Canda. Spring fashions. Skating in Wisconsin. Bob-sledding in Maine.

NEWS OF THE DAY, No. 239—British Mediterranean fleet fights off attack. Bardia falls. London clears debris after attack. Ship launched on banana peels. Halifax arrives. Bob-sled runs. Skiing.

PARAMOUNT NEWS, No. 44—German airmen in Canada prison camp. Probe St. Louis plane crash. Texas quadruplets have second birthday. Halifax here from London. Col. Lindbergh testifies to House committee. Churchill receives Hopkins. London after air raid. Greeks advance in Albania. Mediterranean battle. Bardia captured. New Yorkers leave for winter sports. Track meet in Boston, Bob-sledding in Maine.

RKO PATHE NEWS, No. 44—Bardia falls. British ships in the Mediterranean fight off attack. Hopkins visits Churchill. British envoy arrives on warship. German prisoners in Canada. Plane crash in St. Louis. Bicycling under water. Basketball star displays skill. Ice skating meet in Wisconsin.

UNIVERSAL NEWSREEL, No. 949—Halifax arrives. Bardia taken. Hopkins in London. Wounded British fliers in London. Nazi prisoners in Canada. Boat launched on banana peels in Beaumont. Fiesta in Texas. Rodeo in Florida. Bob sledding in Maine.

Horowitz Leaves Circuit in Indiana

INDIANAPOLIS, Jan. 28. — Morris Horowitz has retired as president of the Fountain Square Theatre Co. and is succeeded by Bennett E. Sagalowsky, with whom he established the firm 12 years ago, and who has been treasurer.

Directors named Earl Cunningham and J. A. Sagalowsky vice-presidents and E. C. Dean secretary-treasurer. The company began with the Fountain Square and later added the Sanders and the Granada. Cunningham manages the three houses.

MOTION PICTURE
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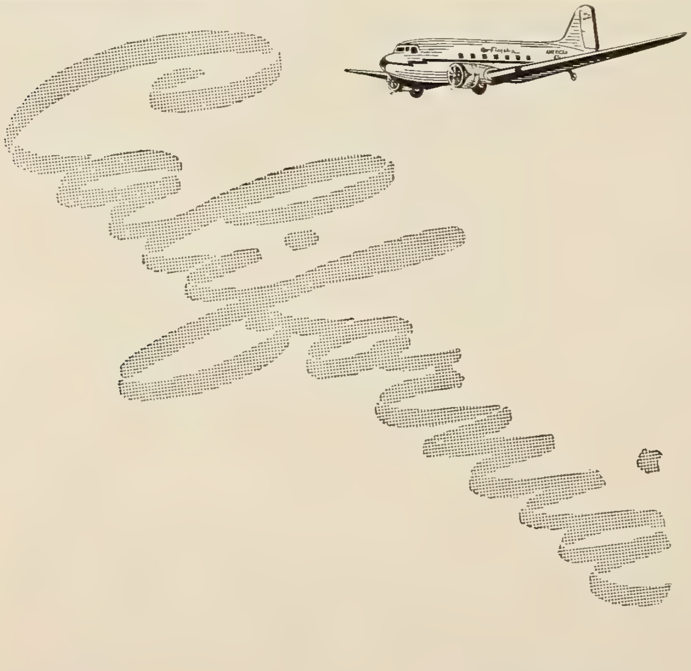

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★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, Park Avenue at 42nd St.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

NEW YORK'S FINEST
Edison Motion Picture Studio
HAS EVERYTHING!
Large and small sound stage—Latest equipment — Rehearsal rooms — Private projection theatre—Executive offices—Conveniently located.
MODERATE RATES
Phone CHickering 4-8116-7-8

Decree Talks Are Resumed By U.S., Ascap

(Continued from page 1)

described as "the basic differences in the two organizations." B.M.I., it was said, is not, like Ascap, an association of copyright owners but is, rather, "a music publishing organization."

Conferences Expected To Start Today or Tomorrow

WASHINGTON, Jan. 28.—Representatives of Ascap are expected to seek conferences with Department of Justice officials tomorrow or Thursday, it was indicated here today. It was stated, however, that it is extremely unlikely that any basis of agreement will be reached immediately.

It is understood that the demands of the Department on Ascap go further than those on B.M.I., and include a reorganization of the society itself to break the domination wielded by the allegedly self-perpetuating management now in control.

Previous settlement negotiations between the Government and Ascap were halted late last month, largely as a result, it was said, of internal differences in the music society.

68 Critics, Editors To 'Street' Opening

A delegation of 68 critics and film editors from 34 leading cities, newspaper columnists and syndicate writers, and trade paper and fan magazine representatives will attend the two-theatre premiere of Universal's "Back Street" in Miami next Tuesday. The Eastern delegation will leave for Miami on Saturday.

Trade press representatives will include: Sam Shain, Red Kann, Don Mersereau, Jay Emanuel, Pete Harrison, Charles E. Lewis, Moe Wax, Lionel Toll, Herb Stein and Arthur Ungar.

Universal officials who will attend include: Charles D. Prutzman, vice-president and general counsel; Samuel Machnovitch, treasurer; Peyton Gibson, secretary; J. H. Seidelman, vice-president and foreign manager; John Joseph, advertising and publicity director, and Lou Pollock, Eastern advertising and publicity manager.

Others who will attend include: Deanna Durbin, Bruce Manning, producer of the picture; Robert Stevenson, director, and his wife, Anna Lee, and Felix Jackson, co-author of the screenplay.

20th-Fox to Make No Sales Changes

(Continued from page 1)

they would be made at that time."

The company expects to schedule approximately the same number of features for production next season as in recent seasons, that is, 48 to 52. The company's first block of five is expected to be ready for trade showings about mid-Summer.

Cinema Club to Elect

CINCINNATI, Jan. 28.—The Cincinnati Cinema Club will hold its annual election of officers Saturday.

Value of Quigley Awards Is Lauded By Bernhard

(Continued from page 1)

Hall; Tom Connors, Eastern and Canadian sales manager of M-G-M; Louis W. Schine, vice-president of the Schine Enterprises, Inc; Alex Manta, president of the Indiana-Illinois Theatres; Arthur Mayer, Rialto Theatre impressario; Bob O'Donnell, executive operator of the Interstate Theatre Circuit, of Texas; Bob Wilby, of the Wilby-Kincey Theatres, North Carolina; Ned Depinet, vice-president in charge of distribution of RKO; Andy Smith, RKO sales manager; Leonard Goldenson, Terry Ramsaye, editor of *Motion Picture Herald;* Colvin Brown, Leon Netter, Robert Gillham, Barret McCormick, Mort Blumenstock, Si Seadler, Harry Goldberg, Maurice Bergman, David Lipton, John O'Connor, vice-president and general manager of RKO Theatres; C. J. Scollard and Harry Mandell.

Bernhard praised the spirit and enthusiasm created by the Quigley Awards among the theatre men generally, not only in the field but in the home offices, also. This is one of the principal services rendered by the Awards, Bernhard stated, and for this Warner Bros. Theatres management is grateful.

"Next year," said Mr. Bernhard, "under the consent decree, theatre managers will be called upon for greater showmanship than ever before demonstrated. Hitherto, we have always had our cupboards filled with product. Under the consent decree, when pictures will be sold in block-of-five, we will have to nurse the pictures and devise new and ingenious methods by which to realize their fullest box-office values.

'Must Sell Product'

"We will have to sell product, irrespective of casts and names. It's easy to sell films with big names. Next year we will be called upon to demonstrate our showmanship with new faces, because Hollywood will have to get new faces. It will be impossible for Hollywood to carry on with the old faces at big salaries now that the foreign business has been lost."

Quigley Thanks Guests

In opening the luncheon program, Quigley on behalf of himself and associates thanked the many distinguished guests for their attendance and gave praise to the theatre men in the field who have helped make the Quigley Awards the successful industry project which it is. The principal purpose of those who are responsible for the project is to provide a stimulus, guide and direction to those who are engaged in advertising and exploiting the pictures.

R. J. O'Donnell lauded the Quigley Awards for the energy and efforts represented therein. A-Mike Vogel, conductor of the Round Table Department of *Motion Picture Herald,* added a note of welcome to the guests.

Quigley Awards Luncheon Guests

Following is the list of guests, including the judges, attending the Quigley Awards luncheon at the Astor Hotel yesterday:

Martin Quigley, Terry Ramsaye, Joseph Bernhard, Warners; R. J. O'Donnell, Interstate Circuit; W. G. Van Schmus, Music Hall; Alex Manta, Indiana-Illinois Theatres; Ned E. Depinet, RKO; A. W. Smith, Jr., RKO; Robert M. Gillham, Paramount; C. J. Scollard, Paramount; Irving Lesser, Roxy Theatre; Sam Shain; Louis W. Schine, Schine Theatres; Al Sindlinger, March of Time; Leon J. Bamberger, RKO; F. J. A. McCarthy, Universal; W. J. Heineman, Universal; Mort Blumenstock, Warners; Si Seadler, Loew's; David E. Weshner, United Artists; Nat Wolf, Warners; Leonard Schlesinger, Warners; James Cron.

Richard M. Dobie, *Editor & Publisher;* Syd Carter, *Printers Ink;* Ray Gallagher; William R. Ferguson, Metro; Charles Jones, Republic; David Whalen, Republic; Harry Goldberg, Warners; Harry Mandel, RKO; J. J. O'Connor, RKO; Lou Goldberg, RKO; Sol Schwartz, RKO; Ted Sullivan; Martin Quigley, Jr.; David Lipton, Columbia; Arthur L. Mayer, Rialto; Maurice Bergman, 20th Century-Fox; Herb Fecke; Leo Brady; Gertrude Merriam; Lou Preston, Endicott Theatres; Leon Netter, Paramount; Colvin W. Brown; S. Barret McCormick, RKO; T. J. Connors, Metro; Edwin A. Aaron, Metro; Dick Stout, Interstate Circuit; I. B. Adelman, Interstate Circuit; Charles Casanave, National Screen Accessories; Harry Kirchgessner, National Screen Accessories; Harry D. Buckley, United Artists; E. C. Grainger, M. A. Shea Enterprises; R. B. Wilby, Wilby-Kincey.

Pittsburgh Shows Bring New Interest

PITTSBURGH, Jan. 28.—A business pickup at the Stanley, where vaudeville was resumed last week, and the Casino, where four vaudeville acts have been added to the standard burlesque unit, indicates a renewed public interest in live entertainment on theatre stages, according to house executives.

Publicity Director Frank Shenkel of the Casino maintains that the burlesque circuit, with 14 theatres on the eastern wheel and 14 on the western, could become the nucleus of a circuit similar to the old Keith route. Occasional stage appearances of name bands and units at suburban theatres also draw bigger grosses than straight pictures.

Curtice Circuit Aide

SAN FRANCISCO, Jan. 28.—Fred Curtice, assistant manager of the Uptown Theatre, has been named assistant to Roy Cooper, division manager of the Golden State and San Francisco Theatres, Inc.

Para. Plans Three Blocks-of-5 Films

Paramount plans to have three blocks of five features, each ready for selling by the start of the new season, the first block of five to be ready by early Summer, Neil Agnew, vice-president in charge of distribution, said yesterday.

Agnew indicated that Paramount would increase its production schedule "considerably" for next season, and stated that every picture sold on the current season's schedule will be delivered "without any changes."

Universal Shows $2,390,722 Profit, Increase of 107%

(Continued from page 1)

cash receipts by $2,602,535 to a total of $18,073,055 last year, the company is continuing its efforts to make itself completely independent of foreign business "and is hopeful that this may be accomplished this year."

He reports that British business so far this year is well ahead of the same period last year and that gains in Canadian business have more than offset the decrease in Canadian exchange rates.

The company's consolidated and working assets and other cash and accounts receivable, including restricted sterling amounted to $12,953,683, and current liabilities were $4,241,774. Net working capital of $6,823,563 compares with $5,512,194 the year before. Cash on hand as of Nov. 2 last was $1,428,283. Total assets are listed at $15,594,687.

While the company provided for a special amortization reserve of $10,000 per week to cover foreign revenue losses last year, it actually used only $300,000 for this purpose. The company paid taxes of $1,210,648 during the year, which was equivalent, Cowdin said in his report to stockholders, to approximately 50 cents for every dollar of net profit.

The report paid tribute to Nate J. Blumberg's four years of management with Cliff Work in charge of production, W. A. Scully in charge of sales and J. H. Seidelman in charge of foreign operations. It was pointed out that the company is farther advanced on its current production and release schedule now than it has been for many years past and that the pictures have been brought in under the total production budget set for them.

It was also revealed that the company has retired or purchased for retirement 7,261 shares of its first preferred stock at an average price of $118.03 since the beginning of 1940. This includes 4,591 shares purchased last month in response to invitations from the company for tenders of shares, out of a fund of $1,000,000 borrowed for the purpose.

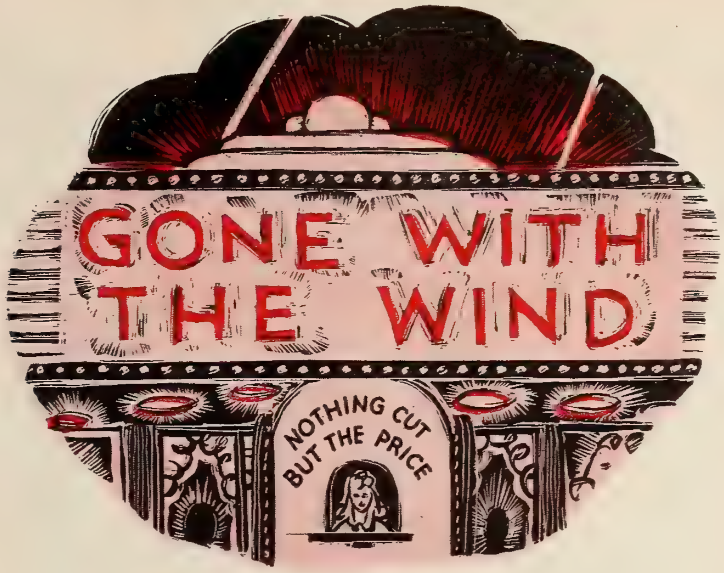
Cowdin closes his report with a prediction of increased theatre attendance and consequent further improvement for the company this year.

GONE WITH THE WIND
CLARK GABLE
VIVIEN LEIGH

"GWTW" returns to the Capitol and tops road show records! Held over!

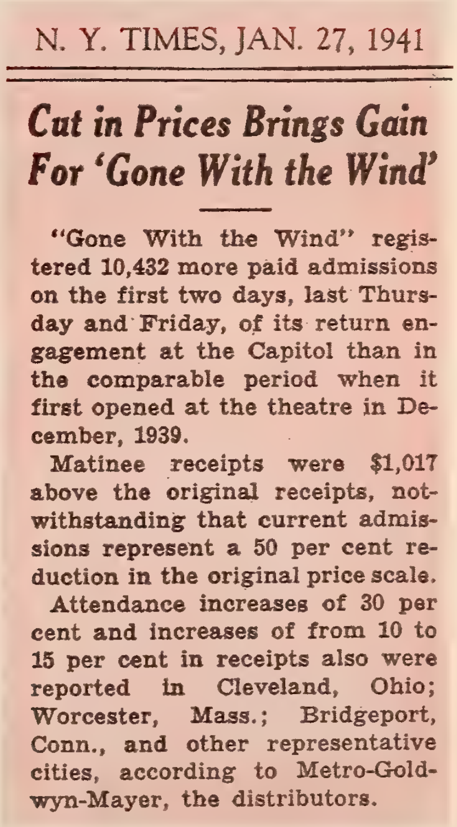
"SAME AS LAST YEAR!"

DAVID O. SELZNICK's Production of MARGARET MITCHELL's Story of the Old South "GONE WITH THE WIND" • DIRECTED BY VICTOR FLEMING • In Technicolor Starring CLARK GABLE • VIVIEN LEIGH • LESLIE HOWARD • OLIVIA DeHAVILLAND • A SELZNICK INTERNATIONAL PICTURE Screen Play by Sidney Howard Music by Max Steiner • A Metro - Goldwyn - Mayer Release


GONE WITH THE WIND
NOTHING CUT BUT THE PRICE

THE MIRACLE OF SHOW BUSINESS!

A year later!
But the same crowds, cops, *cash!*
A year later!
And "GWTW" tops its own records!
Last week the first 13 engagements
Electrified the industry and held over!
Now a 3rd week is announced!
(Boston, St. Louis, Washington, Bridgeport,
Hartford, New Haven, Worcester)
And every new opening is terrific!
(Baltimore, Akron, Canton, Providence,
Waterbury, Memphis, Kansas City, etc.)
And each one a hold-over!
No matter how long a period
It played previously
It's as though it never played before!
And an interesting development is that
Small towns are even topping the big towns!
There has never been anything like it!
It will never happen again in our lifetime!
Give it everything you've got of showmanship!
It's the miracle of show business.



N. Y. TIMES, JAN. 27, 1941

Cut in Prices Brings Gain For 'Gone With the Wind'

"Gone With the Wind" registered 10,432 more paid admissions on the first two days, last Thursday and Friday, of its return engagement at the Capitol than in the comparable period when it first opened at the theatre in December, 1939.

Matinee receipts were $1,017 above the original receipts, notwithstanding that current admissions represent a 50 per cent reduction in the original price scale.

Attendance increases of 30 per cent and increases of from 10 to 15 per cent in receipts also were reported in Cleveland, Ohio; Worcester, Mass.; Bridgeport, Conn., and other representative cities, according to Metro-Goldwyn-Mayer, the distributors.

Glimpses at Judging for Quigley Awards

Martin Quigley addresses the Quigley Awards luncheon guests.

R. J. O'Donnell of Interstate Circuit (left), and W. G. Van Schmus of the Music Hall, listen as A-Mike Vogel speaks at the luncheon.

Robert M. Gillham, advertising and publicity chief of Paramount.

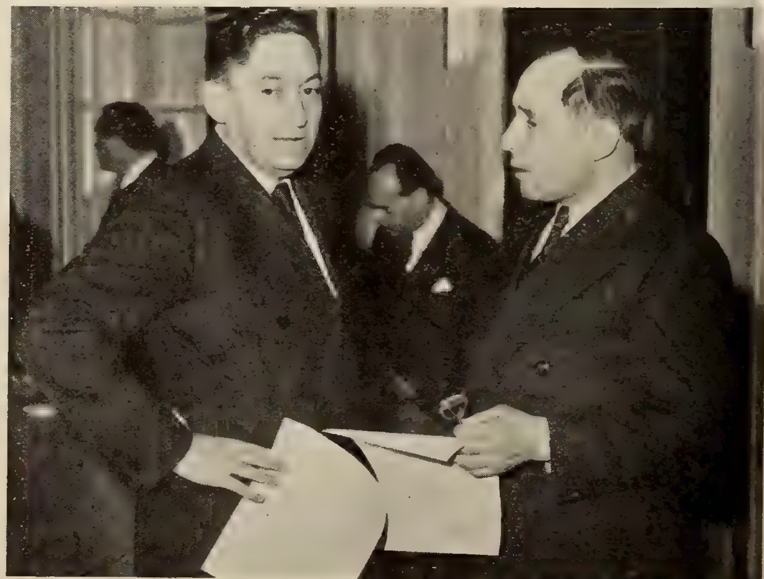
Arthur Mayer of the Rialto; William Ferguson, M-G-M exploitation manager, and Louis Schine of the Schine Circuit in a discussion.

John J. O'Connor, RKO Theatres head, studies an exploitation entry.

Thomas J. Connors, Eastern and Canadian sales manager for M-G-M.

S. Barret McCormick, advertising and publicity director for RKO, gives his attention to an item.

Alex Manta, president of Indiana-Illinois Theatres, who made a special trip in from Chicago.



Photos by staff photographer

Maurice Bergman, 20th Century-Fox advertising manager (left), and Harry Goldberg, in the same spot for Warner Theatres, talk it over, with David Lipton of Columbia in the center background.

Mid-winter bulletin from Universal City, California

...AND THE GREATEST EXHIBITOR NEWS ANNOUNCED THIS SEASON!

ABBOTT & COSTELLO

BRIAN AHERNE

ANDREWS SISTERS

ARLEN & DEVINE

EDWARD ARNOLD

LIONEL ATWILL

ROBERT BENCHLEY

JOAN BLONDELL

CHARLES BOYER

WALTER BRENNAN

HELEN BRODERICK

BRUCE CABOT

MARLENE DIETRICH

DEANNA DURBIN

IRENE DUNNE

KAY FRANCIS

HUGH HERBERT

DICK POWELL

ROBERT PRESTON

CHARLES RUGGLES

S. Z. SAKALL

BABY SANDY

ROBERT STACK

MARGARET SULLAVAN

FRANCHOT TONE

RUDY VALLEE

LORETTA YOUNG

ROLAND YOUNG

UNIVERSAL WILL DELIVER FOR 1940-41

THE TOTAL NUMBER OF PICTURES PROGRAMMED!

UNIVERSAL HAS ADDED TO THOSE PICTURES YET

TO BE RELEASED STAR AND PRODUCTION VALUE

ENOUGH TO TRIPLE THEIR TICKET-SELLING POWER!

Mid-winter bulletin from Universal City, California

January 31st Release

BUCK PRIVATES

starring Abbott and Costello with Lee Bowman, Alan Curtis and The Andrews Sisters.
Directed by Arthur Lubin. Associate producer, Alex Gottlieb.

February 7th Release

BACK STREET

by Fannie Hurst, starring Charles Boyer and Margaret Sullavan, with Richard Carlson, Frank McHugh, Tim Holt.
Directed by Robert Stevenson. Produced by Bruce Manning.

February 14th Release

MEET THE CHUMP

starring Hugh Herbert, with Jeanne Kelly, Lewis Howard, Anne Nagel. Directed by Edward Cline.
Associate producer, Ken Goldsmith.

February 21st Release

NICE GIRL?

starring Deanna Durbin, with Franchot Tone, Walter Brennan, Robert Stack, Robert Benchley, Helen Broderick.
Directed by William A. Seiter. A Joe Pasternak production.

February 28th Release

DARK STREETS of CAIRO

with Sigrid Gurie, Ralph Boyd, Eddie Quillan, Katherine DeMille, George Zucco. Directed by Leslie Kardos. Associate producer, Joseph G. Sanford.

March 7th Release

MR. DYNAMITE

(Tentative Title)

with Lloyd Nolan, Irene Hervey, J. Carroll Naish, Frank Gaby, Ann Gillis, Robert Armstrong. Directed by Jack Rawlins. Associate producer, Marshall Grant.

March 14th Release

MODEL WIFE

starring Joan Blondell, Dick Powell, with Charlie Ruggles, Lee Bowman, Ruth Donnelly.
Produced and directed by Leigh Jason.

March 21st Release

DOUBLE DATE

March 28th Release

FRANK LLOYD PRODUCTIONS, Inc., presents

LADY FROM CHEYENNE

starring Loretta Young with Robert Preston, Edward Arnold, Gladys George, Frank Craven, Jessie Ralph.
Produced and directed by Frank Lloyd. Associate producer, Jack Skirball.

April 4th Release

MUTINY IN THE ARCTIC

starring Richard Arlen and Andy Devine.

...AND THE GREATEST EXHIBITOR NEWS ANNOUNCED THIS SEASON!

April 4th Release

HORROR ISLAND

April 4th Release

MAN MADE MONSTER

starring Lionel Atwill and Lon Chaney, Jr., with Frank Albertson,
Anne Nagel, Samuel S. Hinds. Directed by George Waggner.

April 11th Release

THE FLAME OF NEW ORLEANS

starring Marlene Dietrich, with Bruce Cabot, Mischa Auer, Roland Young, Andy Devine.
Directed by Rene Clair. A Joe Pasternak production.

April 18th Release

SKY RAIDERS—*A Serial in 12 Episodes*

with Donald Woods, Billie Halop, Robert Armstrong, Kathryn Adams, Eduardo Ciannelli, Bill Cody, Jr.,
William Desmond. Directed by Ford Beebe and Ray Taylor.
Associate Producer, Henry MacRae.

April 25th Release

THE MAN WHO LOST HIMSELF

starring Brian Aherne and Kay Francis, with Henry Stephenson, S. Z. Sakall, Nils Asther.
Directed by Edward Ludwig. Produced by Lawrence W. Fox, Jr.

May 2nd Release

BUTCH MINDS THE BABY

A Mayfair production. Story by Damon Runyon.

May 23rd Release

TOO MANY BLONDES

starring Rudy Vallee

May 30th Release

OH, CHARLIE

starring Bud Abbott and Lou Costello. Directed by Arthur Lubin.

June 6th Release

MEN of the TIMBERLANDS

starring Richard Arlen and Andy Devine.

June 13th Release

TIGHT SHOES

A Mayfair production. Story by Damon Runyon.

Mid-winter bulletin from Universal City, California

...AND THE GREATEST EXHIBITOR NEWS ANNOUNCED THIS SEASON!

June 20th Release

NORTH of the KLONDIKE

June 27th Release

HIT THE ROAD

starring The Dead End Kids and The Little Tough Guys.

July 4th Release

FRANK LLOYD PRODUCTIONS, INC., presents

I, JAMES LEWIS *(Tentative Title)*

Produced and directed by Frank Lloyd. Associate producer, Jack Skirball.

July 11th Release

CRACKED NUTS

July 18th Release

SANDY STEPS OUT

starring Baby Sandy

July 25th Release

FIFTEEN FATHOMS DEEP *(Tentative Title)*

starring Richard Arlen and Andy Devine.

August 1st Release

RAIDERS of the DESERT

August 15th Release

UNFINISHED BUSINESS

starring Irene Dunne and Robert Montgomery. A Gregory la Cava production.

August 22nd Release

A DANGEROUS GAME

starring Richard Arlen and Andy Devine with Jeanne Kelly. Directed by John Rawlins.
Associate producer, Ben Pivar.

August 29th Release

A FRANK LLOYD PRODUCTION

Watch

UNIVERSAL FOR 1941-42

Short Subject Reviews

"The Happiest Man on Earth"

(M-G-M)

Here is a short film of unusual dramatic intensity. It depicts little more than two characters conversing, but the characterizations are very well done and the conversation gripping. In its original short story form, "The Happiest Man on Earth" was given the O. Henry Memorial Award. It concerns the poverty-stricken and travel-weary family man who approaches his wife's brother for a job delivering dynamite. The latter at first refuses but, moved by his pleas, subsequently gives him the job and a new outlook on life. Paul Kelly and Victor Killian both score as the two involved. Running time, 11 mins.

"Pantry Pirate"

(Disney-RKO)

When Pluto, the much-abused pup, goes into the kitchen in pursuit of a succulent roast ham in the process of cooking, he runs into all sorts of problems. They include an encounter with a box of soap flakes in a pail of water, an ironing board and a stack of cups. It is all done in the highly engaging style of Walt Disney, which is enough to say. Running time, 8 mins.

"Mediterranean Ports of Call"

(M-G-M)

Dividing the footage between Algiers and Monte Carlo, James A. Fitzpatrick has here an engaging travelogue enhanced by splendid color photography and interesting commentary. In Algiers the over-crowded market places and a memorial to World War heroes are visited. The scene then shifts to the Principality of Monaco, in which is located Monte Carlo. Running time, 9 mins.

"Fightin' Fools"

(M-G-M)

Irked by having their clothes knotted while swimming, the youngsters of Our Gang hold a council of war and decide that the pranksters should be punished. A big battle follows with over-ripe tomatoes very much in evidence, and with the Gang victorious. The short is not up to the average of the series. Running time, 11 mins.

"Respect the Law"

(M-G-M)

A "Crime Does Not Pay" short, this illustrates the necessity of obeying minor ordinances despite their apparent insignificance. It concentrates on a Health Department case in which a waterfront property owner bribes a Rodent Control Bureau agent and thus saves the cost of rat-proofing his property. A plague which takes a number of lives follows. The subject is effectively presented. Running time, 10 mins.

Feature Reviews

"Wild Man of Borneo"

A PLAY by Marc Connelly and Herman J. Mankiewicz produced on Broadway in 1927, "Wild Man of Borneo" emerges on the screen as a lesser item of entertainment, which nevertheless, has moments of real amusement and a touch of pathos.

It is the story of a medicine man of the '90's, interpreted skillfully by Frank Morgan, who attempts to leave his roving life to make a home for the daughter he has not seen in years.

In the theatrical boarding house in New York run by a former actress, played by Billie Burke, Morgan plays out the game of lies he has developed so that his daughter will still believe her father is the great man she had been led to think him. Mary Howard plays the daughter, Donald Meek the boarder who hopes to marry Miss Burke, Bonita Granville the "too wise" daughter of a former actress, and Dan Dailey, Jr., the young man interested in the new films, who falls in love with Miss Howard.

Howard Sinclair, who directed, wisely permitted Morgan to carry the greater part of the footage. The title refers to the job Morgan finally lands with an old friend of the medicine show days, in order to hold his fabricated position.

Running time, 78 minutes. "G."* CHARLES S. AARONSON

"Rolling Home to Texas"

(Monogram)

Hollywood, Jan. 28

DESPITE its short length, Monogram's "Rolling Home to Texas" features eight song numbers which slow up the action considerably. The picture stars Tex Ritter and features Cal Shrum and his Rhythm Rangers, with Slim Andrews, Virginia Carpenter, Eddie Dean, Jack Rutherford and Minta Durfee heading the cast.

The climax occurs when Ritter, a United States marshal, deputizes the convicts at the state prison of which his uncle is warden and enlists their aid in capturing a band of criminals who have been inducing prisoners to violate the honor system by escaping and then murdering them.

Edward Finney produced the picture, with Al Herman directing. Robert Tansey was the production supervisor.

Uneven direction and stilted dialogue mark the offering.

Running time, 63 minutes. "G."* VANCE KING

---

*"G" denotes general classification.

'Wind' Blows Gale At Pittsburgh B.O.

PITTSBURGH, Jan. 28.—A mild flu siege failed to keep "Gone With the Wind" from taking $29,000 in its first week of popular prices at Loew's Penn, and "This Thing Called Love" hit $10,000 at the Senator.

Estimated takings for the week ending Jan. 23:

"The Invisible Woman" (Univ.)
"Get That Girl" (Univ.)
FULTON—(1,800) (28c-44c) 7 days. Gross: $4,000. (Average, $5,000)
"Gone With the Wind" (M-G-M)
LOEW'S PENN—(3,400) (40c-55c) 7 days. Gross: $29,000. (Average, $13,000)
"Comrade X" (M-G-M)
RITZ—(800) (28c-39c-55c) 7 days, 4th week. Gross: $3,800. (Average, $3,500)
"This Thing Called Love" (Col.)
SENATOR—(1,700) (28c-39c-55c) 7 days. Gross: $10,000. (Average, $5,000)
"You'll Find Out" (RKO)
STANLEY—(28c-44c-66c). On stage: Singer's Midgets. 7 days. Gross: $15,500. (Average, $17,000)
"The Thief of Bagdad" (U. A.)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $7,300. (Average, $5,000)

Selznick Sets 'Eyre'

HOLLYWOOD, Jan. 28.—David O. Selznick will make Charlotte Bronte's "Jane Eyre" as the first of three pictures, marking his resumption of production. The lead will be chosen from among Vivien Leigh, Joan Fontaine and Katharine Hepburn, all under Selznick contract.

'Police' Washington Leader with $21,800

WASHINGTON, Jan. 28.—"North West Mounted Police" took $21,800 at the Earle. The first week of "Gone With the Wind" at popular prices grossed $22,500 at the Palace. The weather was good and thousands of visitors were in town for the inauguration.

Estimated takings for the week ending Jan. 22-23:

"North West Mounted Police" (Para.)
EARLE—(2,200) (28c-39c-44c-66c-77c) 7 days. On stage: "Chins Up," revue. Gross: $21,800. (Average, $15,500)
"Gone With the Wind" (M-G-M)
PALACE—(2,300) (40c-55c) 7 days. Gross: $22,500. (Average, $18,000)
"Hudson's Bay" (20th Century-Fox)
CAPITOL—(3,434) (28c-39c-44c-66c-77c) 7 days. On stage: Diosa Costello, Dean Murphy, Rhythm Rockets, Great Yacopis, Adrian Rollini Trio. Gross: $22,000. (Average, $16,000)
"Kitty Foyle" (RKO)
KEITH'S—(1,834) (39c-55c) 7 days, 4th week. Gross: $8,800. (Average, $5,000)
"Escape to Glory" (Columbia)
METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $5,400. (Average, $5,000)
"Flight Command" (M-G-M)
COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $6,500. (Average, $4,000)

Signed by Cameo

HOLLYWOOD, Jan. 28.—Gale Storm and Martha Tilton have been signed by Cameo Productions, Inc., to appear in subjects for the Roosevelt-Mills Soundies machines.

75 New Films Being Edited In Hollywood

HOLLYWOOD, Jan. 28.—Thirty-seven pictures were before the cameras this week, as eight started and seven finished. Fifteen are being prepared, and 75 are being edited.

The tally by studio:

Columbia

Finished: Untitled Ellery Queen story.
In Work: "They Dare Not Love."
Started: "A Girl's Best Friend Is Wall Street."

Globe

In Work: "Pot o' Gold."

Gloria

In Work: "New Wine."

M-G-M

Finished: "The Crime of Mary Andrews."
In Work: "Billy the Kid," "Roosty."
Started: "A Woman's Face."

Monogram

Finished: "Ridin' the Cherokee Trail."
Started: "Air Devils."

Producers Releasing

Finished: "The Lone Rider Crosses the Rio."
Started: "Outlaws of the Rio Grande."

Paramount

In Work: "One Night in Lisbon," "Caught in the Draft," "Men of Action," "Kiss the Boys Goodbye."
Started: "Power Dive."

RKO

Finished: "They Met in Argentina."
In Work: "The Devil and Miss Jones," "Sunny."

Republic

In Work: "Sis Hopkins," "Citadel of Crime."
Started: "The Great Train Robbery," "Back in the Saddle Again."

Roach

In Work: "Broadway Limited."

20th Century-Fox

Finished: "A Very Young Lady."
In Work: "Blood and Sand."

Universal

Finished: "Nice Girl."
In Work: "The Man Who Lost Himself," "The Flame of New Orleans," "The Lady from Cheyenne," "Model Wife."
Started: "Oh, Charlie."

Warners

In Work: "Winged Victory," "Miss Wheelwright Discovers America," "Thirty Days Hath September," "The Bride Came C. O. D.," "No Hard Feelings," "Singapore Woman," "Strange Alibi," "Affectionately Yours."

New Loew Worcester Asst.

WORCESTER, Mass., Jan. 28.—James Hoey has resigned as student assistant manager at the Loew-Poli Elm Street here and has been succeeded by Arthur Arakelian.

Fogel Arrives Here

Murray Fogel, vice-president of Vis-O-Graph Corp. of America, is here from the coast to establish New York offices, according to officials. Irving Siegel will be in charge.

Albany Bill Amends Child Players Law

ALBANY, Jan. 28.—Backed by the Children's Aid Society of Buffalo and the Society for the Prevention of Cruelty to Children, Assemblyman Ehrlich tomorrow will introduce a comprehensive bill intended to amend the education law in relation to performances by children under 16 years of age.

Intended to prevent the exploitation of children but on the other hand to permit their acting when the local educational authorities are satisfied they are receiving tutoring, etc., the bill actually would equalize conditions all over the state. During the last few years, Assemblyman Ehrlich said, the law has not been enforced in New York City, whereas it has been stringently upheld in many upstate communities, including Buffalo. In the latter city it was therefore impossible to stage "The Philadelphia Story," "Life with Father" and other plays, where under the proposed legislation, if Buffalo educational authorities were assured children were receiving proper tutoring, written permission could be issued 72 hours before the first performance.

So far as radio is concerned, the only exception for children under 16 is amateur programs—but only those emanating from studios and for not more than one hour per week. Thus, without specific permission quiz programs from theatres would not be permissible.

Bookers Elect Friday

CINCINNATI, Jan. 28.—The Cincinnati Bookers Club will hold its annual election of officers Friday.

★

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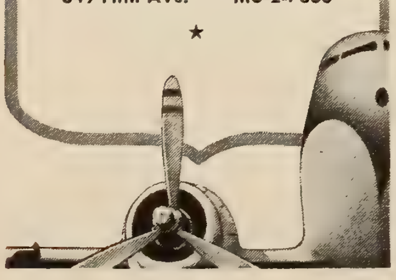


Stars Flocking to Capital For President's Birthday

WASHINGTON, Jan. 28.—The Hollywood star colony is moving virtually *en masse* from California to the nation's capital this week, for the President's Birthday Ball celebration here Thursday night and far into the small hours of Friday morning.

Stars have been arriving in wholesale lots. Already here and taking part in preliminary festivities are Preston Foster, Carolyn Lee and Stirling Hayden. Arrived today were Wallace Beery, Charlotte Greenwood and Kay Aldridge. Deanna Durbin is due to arrive tomorrow.

Expected when they get here, the weather having disrupted air traffic, are George Raft, Wayne Morris, Robert Young, Constance Moore, Anne Shirley, Jean Hersholt, Red Skelton, Kitty Carlisle and Lynn Bari.

Virtually every showman in the capital will serve as escort for the Hollywood players when they begin making personal appearance rounds at the five hotel dances Thursday night.

Before the ball, however, the visitors will be feted at a White House luncheon and a Willard Hotel banquet. At the latter, Clifton Fadiman will be master of ceremonies, with Tommy Harmon, Alice Marble and Mary Hardwicke, sports stars, among the guests.

Mrs. Roosevelt will start making the rounds of the hotel balls at 10 P. M., cutting the President's birthday cake when she reaches the Wardman Park Hotel. This year, for the first time, she will be at the President's side in his White House study when he makes his annual birthday broadcast.

Masters of ceremoneis, selected from the Capital's broadcasting studios, for the five hotel parties are lined up as follows:

Mayflower, Arch MacDonald (CBS); Shoreham, Tony Wakeman (MBS); Wardman Park, Gordon Hittenmark (NBC); Hamilton, William Crago (NBC); Washington, Lee Everette (NBC).

At $1.50, there are extra special shows at Warners' Earle and Loew's Capitol, each starting at 11:30 P. M. Thursday. Besides their regular screen and stage attractions, both houses will have personal appearances of all of Hollywood visitors. "Virginia" will open at the Earle that night.

At $2.50, one can attend one or all five of the birthday balls. Biggest is expected at the Mayflower, where Benny Goodman will play.

For $7.50 one can go to the Willard's gala banquet, where will be Deanna Durbin, George Raft, Kitty Carlisle and others, with Fadiman as master of ceremonies.

Final 12 Clerks on Arbitration Named

The final 12 clerks selected by the American Arbitration Association for local arbitration boards were announced by the association yesterday.

The 12 now attending the second and final arbitration instruction class at A. A. A. headquarters here today and tomorrow are: New York, Charles S. Wall, board offices in U. S. Rubber Bldg., Rockefeller Center; Philadelphia, William Elliot, board office, 1420 Walnut St.; Albany, Robert Elliot, Standard Bldg.; Buffalo, Edward Spitznagel, Chamber of Commerce Bldg.; Charlotte, Joseph C. Wright, Liberty Life Bldg.; Chicago, John F. Sullivan, The Rookery; Cincinnati, Lorenz Lemper, Chamber of Commerce Bldg.; Cleveland, Luke Lyman, Standard Bldg.; Memphis, Jack W. Harmon, Shrine Bldg.; New Haven, Oliver F. Bishop, Second National Bank Bldg.; New Orleans, Charles Blomquist, Baronne Bldg., and Pittsburgh, William A. Livingston, Investment Bldg.

The instruction classes for the clerks will be concluded here today. Panels of arbitrators for the local boards, which are scheduled to open on Saturday, will be announced in the near future.

Albany Legislators At 'Liberty' Preview

ALBANY, Jan. 28.—A large group of members of the New York State legislature, including the leaders of both parties, today attended a special legislative preview of "Land of Liberty," sponsored by M-G-M in Chancellor's Hall here.

Pa. MPTO and Union Pledge Defense Aid

PITTSBURGH, Jan. 28.—Allied M. P. T. O. of Western Pennsylvania and operators' Local 171 have issued a joint statement "endorsing the National Defense program as set forth by the President of the United States."

Pledging their "willingness to continue uninterrupted and agreeable relationship and resolve to adhere strictly to the principles that are in accord with the Government's National Defense Program," both groups "stand in opposition to all individuals or groups that champion any 'isms' except Americanism and offer their joint cooperative service in opposition to all elements who expound subversive unAmerican ideas or principles."

Stating that "these theatre owner and operator groups have mutually enjoyed the principles of collective bargaining for the past six years," they "dedicate themselves to maintain the democratic principles that we now enjoy."

Canada Film Board Completes Picture

OTTAWA, Jan. 28.—The Canadian National Film Board has completed its latest picture, "Peoples of Canada," and it is understood it will shortly have its first showing in the Canadian capital.

John Grierson, Canada's Film Commissioner, says of the picture that while it contains no mention of the war, he feels it is the best war picture produced so far. The picture is not in the regular "Carry On" series, and was designed as a non-theatrical picture. It was directed by Gordon Sparling.

Nazis Ask Argentine 'Great Dictator' Ban

By NATALIE BRUSKI

Buenos Aires, Jan. 28.—The German ambassador here yesterday requested that Charlie Chaplin's "The Great Dictator" be banned in Parana, where it is scheduled to open Thursday for its first showing in Argentina.

It is expected the Minister of the Interior will suggest to the governor of the Province of Enterios that the film be banned. The film was banned here on the petition of the Italian ambassador.

Urge Sunday Local Option in Delaware

DOVER, Del., Jan. 28.—A local option Sabbath statute and repeal of the two-century-old Sunday blue law of Delaware are recommended by the special Blue Law Commission in its report to the General Assembly here today.

The proposed statute, which has heavier penalties than the present law, would prohibit only public auctions, public dances, theatricals and motion pictures, but incorporated towns and cities would have power to regulate their own Sunday observances.

While unincorporated communities and rural districts would be governed by a simplified State Sunday law, any town or city that has a charter could pass Sunday ordinances to permit or prohibit any worldly employment, labor or business within its corporate limits.

After studying the blue law situation in Delaware since 1939, the special commission submitted three recommendations to the legislature today: (1) repeal present law; (2) substitute a series of laws having special statewide application prohibitions for present statute; (3) that incorporated municipalities be given power by ordinance further to prohibit objectionable activities on Sunday or to control application of any of general prohibitions to their particular areas.

'Mummy' and Lucas $7,000, Kansas City

KANSAS CITY, Jan. 28.—One holdover combined with rain and snow and the Philharmonic to make it a poor week. Nick Lucas on the stage pulled the Tower, playing "The Mummy's Hand," to $7,000.

Estimated takings for the week ending Jan. 21-23:

"The Invisible Woman" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $1,800. (Average, $2,200)
"Son of Monte Cristo" (U. A.)
"The Phantom Submarine" (Col.)
MIDLAND—(4,000) (28c-44c) 7 days Gross: $7,800. (Average, $9,500)
"Four Mothers" (W.B.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $5,600. (Average, $7,000)
"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
ORPHEUM—(1,500) (28c-44c) 9 days, 3rd week. Gross: $4,600. (Average, 9 days, $5,600)
"The Mummy's Hand" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Nick Lucas, Johnny Sanna, Larimer & Hudson. Gross: $7,000. (Average, $6,000).
"The Invisible Woman" (Univ.)
UPTOWN—(2,000) (28c-44c) 7 days Gross: $2,400. (Average, $3,000)

AN ANNUAL REPORT TO ADVERTISERS FROM THE COLUMBIA BROADCASTING SYSTEM

Advertisers invested more money for CBS facilities in 1940 than for *any* other network

. . . *more than was ever before invested in any network!*

And in 1940, more of the 100 largest U. S. advertisers chose CBS than any other network . . . *for the 7th consecutive year!*

a turn of the page tells you why ➡

Get the Rumble

St. Paul, Jan. 28.—When the old *Daily News* building was remodeled to become the new home of the St. Paul *Dispatch-Pioneer Press,* St. Paul studios of WTCN were also constructed.

Not until too late did anyone realize the studios were directly beneath the newspaper composing room and every time a printer's truck was moved, the mikes picked up the rumble. A solution has not yet been worked out.

NAB Omaha Group Votes BMI Support

Omaha, Jan. 28.—Members of the National Association of Broadcasters' 10th district assembly, meeting here, affirmed their stand on the BMI-Ascap fight by adopting unanimously a resolution to support BMI.

Carl Haverlin, station relations director for BMI, and C. E. Arney, NAB secretary, addressed the group, which numbered almost 50 representatives of 29 radio stations in Iowa, Nebraska and Missouri. John Gillin, general manager of WOW, Omaha, and NAB director, presided at all sessions.

During a question-and-answer session, broadcasters attending the meeting declared it is "impractical" for Midwest stations to introduce new numbers with the hope of making them popular. Some of them said they had let their BMI contracts go unsigned for 1941 because the announcement that the Government may file anti-trust charges against BMI and Ascap. Gillin explained the radio stations do not want to be included in any indictment.

A second resolution passed by the group asked the NAB for help in straightening out trouble between station WEW, St. Louis, and a labor union.

31 Loew Theatres Set 9 P. M. Feature

The main feature will be started at 9 o'clock nightly instead of 10:30 as heretofore in 31 Loew houses as the result of surveys and tests, C. C. Moskowitz, head of metropolitan theatres for Loew's, announced yesterday. It was found that the bulk of evening theatre audiences arrive between 7:30 and 8:45 and the new "9 o'clock plan" is expected to meet the complaints of single feature fans.

Theatres affected will be the Inwood, Dyckman, Olympia, 72nd St., Commodore, Ave. B and Canal, in Manhattan; Gates, Bedford, Melba, Century, Warwick, Brevoort, Bay Ridge, Boro Park, Oriental and Premier, in Brooklyn; Burnside, Elsmere, Victory, Boston Road, Post Road, Burland and American, in the Bronx; Prospect, Hillside, Willard and Woodside, in Queens; and the Embassy, North Bergen, N. J.

Robinson Honor Guest

Edward G. Robinson, Warner player, will be one of the honor guests of the Greenwich Village Association at its annual tea and reception Sunday afternoon at Greenwich House.

Off the Antenna

THE feud which sprang up between the leading New York independent stations, WHN, WMCA and WNEW as a result of publicity rivalry during the local "Pot o' Gold" show which all three carry has been revived as the result of last Saturday's "Ascap on Parade" broadcast which is also carried by the three stations. The first feud was settled by the sponsor's instructions to alternate on publicity breaks after WNEW had succeeded in reaching the winner for the first two weeks. Saturday's outbreak came in the WMCA studios where the Ascap program originates. WMCA insisted on having its microphones alone on the stage while the other stations claimed that there was an agreement to have all or none. In this case, the sponsor, Ascap, refuses to interfere in the fight.

• • •

Raymond Gram Swing, the WOR-Mutual commentator, is making a series of shorts which Cartoon Films, Ltd., is producing and Columbia Pictures will release when they are completed. Swing will write his own scripts discussing, as he does on the air, some military or political aspects of the present war. Color cartoons will illustrate the talks. No release date has been set. Swing recently completed a year-end summary for RKO Pathe News.

• • •

Purely Personal: *Donna Fargo, formerly with Selznick International, WMCA and KMTC, Beverly Hills, has rejoined Voices, Inc., as office manager . . . Col. Stoopnagle will be a special guest at the Eighth Annual Sports Writers' Dinner at the Hotel Astor Sunday . . . Jack Guinan, announcer at WGBI and WQAN, Scranton, Pa. will join WCAU, Philadelphia Saturday.*

• • •

Program News: R. J. Reynolds Tobacco Co. has renewed for 52 weeks "Luncheon at the Waldorf," heard Saturdays at 1:30 P.M. over 53 NBC-Blue stations. The renewal is effective Feb. 22 . . . R. H. Macy which now sponsors "Consumers Quiz Club" and Martha Manning over WOR has added a third show, "9:40 Shoppers Club" with straight merchandise talks . . . Eugene King's recorded "Danceland" show over WOR has obtained its first sponsor with Hecker Products to have one minute live announcements Mondays through Fridays for 26 weeks.

Crosley Plans Net In Latin America

Crosley Corp. has disclosed its intention of forming a network of stations in Latin America and a group of officials are now en route to the South American republic to make a three-month survey. Although details of the plan have not been disclosed the entrance of an independent broadcaster into this field may have considerable significance.

WLWO, the Crosley station in Cincinnati, operates on 75,000 watts and its directional antenna concentrates a strength in Latin America of about 12 times the antenna output, or about 900,000 watts. Heading the tour are James D. Shouse, vice-president in charge of broadcasting, G. E. Branch, his executive assistant, and Antonio Rojas, international network coordinator.

Shouse will go to Mexico City and Guatemala only but his traveling companions will continue through San Salvador, Honduras, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, Ecuador, Peru, Chile, Argentina, Uruguay, Brazil, Puerto Rico, Dominican Republic, Haiti and Cuba.

Orders Ostrer to Testify in GB Suit

New York Supreme Court Justice Philip J. McCook yesterday ordered Isidore Ostrer and Mary Larkin, officials of Gaumont-British Pictures Corp. of America, to testify before trial on Feb. 10 in reference to the $100,000 damage suit of Film Alliance of U. S., Inc.

Film Alliance had charged the breach of a contract made in March, 1940, under which it was allegedly to receive exclusive U. S. distribution rights to the Vivian Leigh film, "Things Are Looking Up."

Ascap License Fee Payments Speeded

Pittsburgh, Jan. 28.—Theatres and night clubs licensed to play Ascap music are paying their fees much more promptly this year than last, William O'Brien, local Ascap district manager, has revealed, saying that Ascap recenue thus far is more than 100 per cent ahead of the same period last year.

Discussing the Ascap-BMI tangle before the Advertising Roundtable with program manager Clifton Daniel of WCAE, O'Brien claimed an increase in phonograph record sales in department and music stores which he interpreted as evidence of the radio audience's turning elsewhere for entertainment during the past few weeks. His office, with three field men and two girls covering all Pennsylvania except 10 counties around Philadelphia, has contracts with WWSW here.

Ask Time for British Aid

"Four-Minute Men of America," an organization recently revived for the purpose of backing President Roosevelt in his policy of extending aid to Britain, is soliciting time during regular shows from film theatres in which to make appeals for support.

Simeon Lewis Dead

Kingston, Pa., Jan. 28.—Simeon Lewis, who was manager of the first theatre in this borough, died of pneumonia at his home here recently at the age of 77. The theatre was erected by his uncle, the late Calvin Dymond, with whom he was associated.

To Chicago on 'Fantasia'

Toni Spitzer, who has been handling general publicity of "Fantasia" at the Broadway Theatre here, has gone to Chicago for the advance campaign on the opening there.

FCC's Television Hearing March 20

Washington, Jan. 28.—Carrying out the promise made yesterday by Chairman James L. Fly of early consideration of television standards, the Federal Communications Commission today announced that a formal hearing will be held March 20 for the purpose of considering the standards recommended by the National Television Systems Committee and also to determine when television shall be placed on a commercial basis.

Today's action was predicted at the close of the long sessions yesterday at which the committee's recommendations were submitted when it was indicated that the results of the committee's work were considerably more complete than had been expected.

Noble Plans Shows Of Local Interest

Although giving no specific indication of how he proposed to change the program policies of WMCA, Edward J. Noble, the station's new owner, yesterday stated that the policies would be directed to creating "local interest programs."

"WMCA enjoys an unusual status in the radio picture," Noble said. "It does not need to serve Oshkosh, or Chicago, or even Philadelphia audiences. It is a local station, and as such, should be directed in its efforts to create local interest programs. Just as the chains have developed to a reputable position in national radio, so WMCA can set the standard for independent stations in the country." Besides adding that the public "should have a say in the things they hear on the air," Noble offered no elaboration of his statement.

Canada Receiving Sets Up Since War

Toronto, Jan. 28.—According to the latest figures of the Dominion Government, the number of annual licenses for radio receiving sets has increased during war time in Canada and in spite of elevated taxes on new radios and tubes, the excise levy now being 25 per cent of the value of a set. The number of licenses has reached the mark of 1,355,711 a net increase of 10,554 over the total of 1,345,157 registered at the close of the fiscal year ended March 31, last.

Chrystal Resigning Eastman Kodak Post

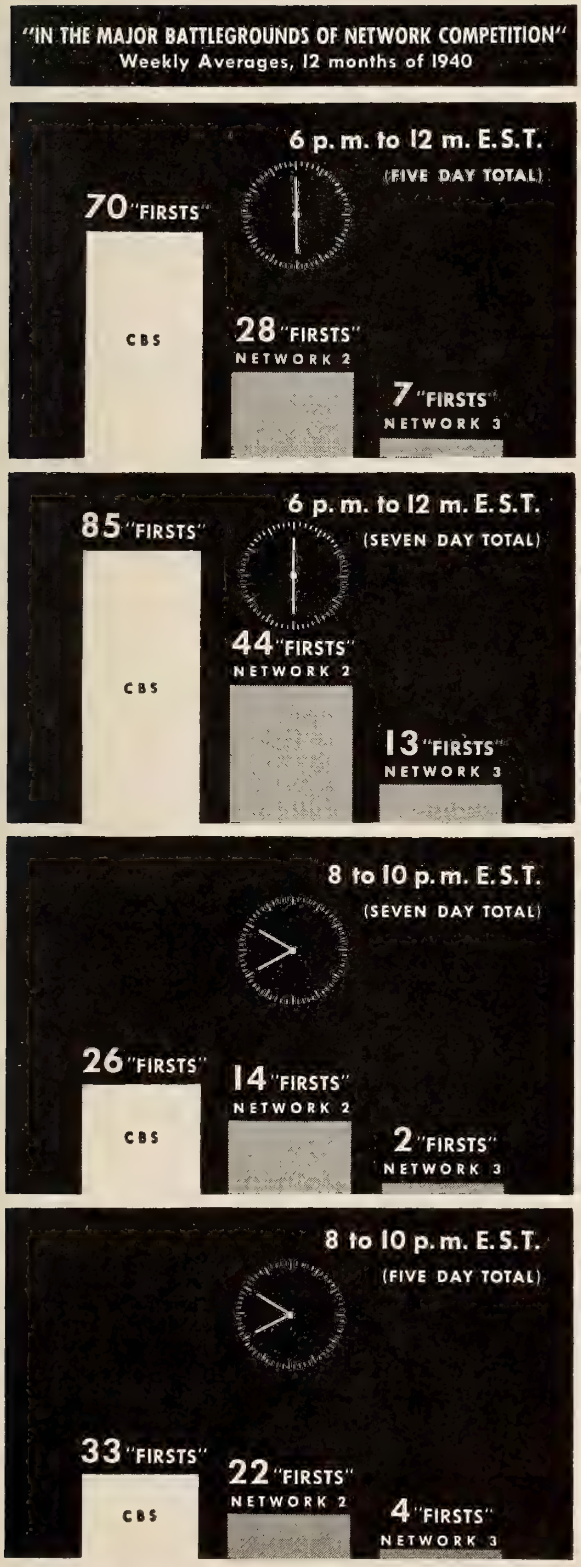
Rochester, Jan. 28.—Eugene Chrystal, public relations counsel of Eastman Kodak, has retired from his post, it has been announced here. He joined the organization when the Tennessee Eastman Corp. was formed in 1920.

Eastman Kodak's branch in Paris, closed for a short time when France fell, has opened for business, according to Harold A. Ritter of Kodak-Pathe, French branch of Eastman Kodak. Outside of limitations due to the shipping blockade, business in occupied France is going on as usual, he said.

John Farren Dies

Rochester, Jan. 28.—John J. Farren, once owner of the Victoria Theatre here, died at the age of 60.

CBS consistently has the strongest schedule in Radio



These charts are based on CAB rated sponsored programs in 1940, and show the average number of quarter hours, each week in 1940, in which each network delivered the largest audience to its clients against *all* other network competition.

Regular CAB program ratings show CBS with *a consistently stronger schedule than any other network* in all of 1940. The Columbia Network, against all competition, delivered the largest audiences to its clients, for more program-periods in the *entire* broadcasting day than *any* other network. Counting every regularly rated sponsored quarter-hour on all networks, in all of 1940, CBS averaged 161 "firsts" each week against all competition; the next best network had 154; the third network, only 18 "firsts".

CBS leadership is most striking in the major battleground of network competition; in the tensely competitive *evening* hours. Whether you take the entire evening (6:00 p.m. to 12:00 m.) or just the heart of the evening (8:00 to 10:00 p.m.), *CBS wins more "firsts" than the second and third networks combined.* The exact evening score is shown in the charts, for all of 1940.

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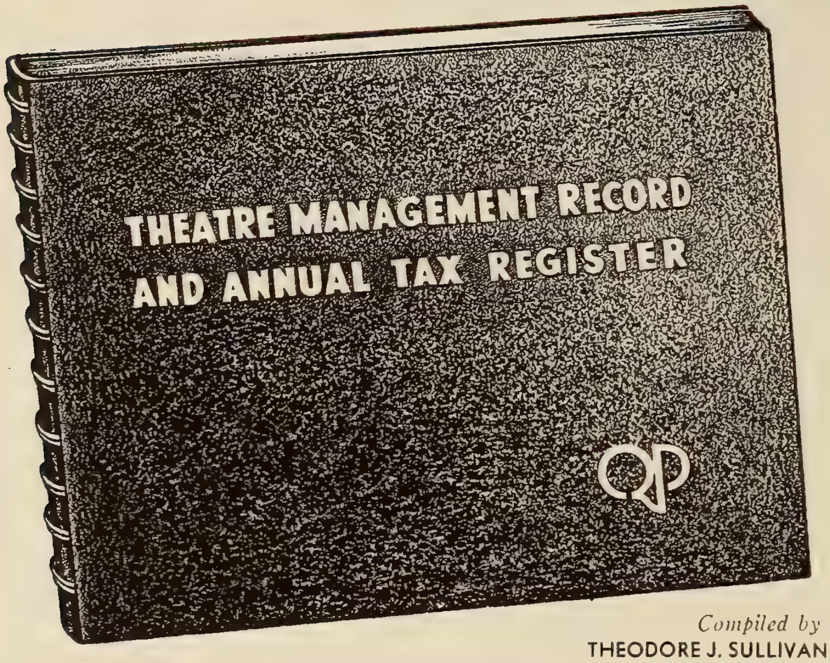
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VOL. 49. NO. 21 NEW YORK, U. S. A., THUURSDAY, JANUARY 30, 1941 TEN CENTS

'U' to Reveal New Season's Plans at Meet

Earliest Sales Session In Chicago Feb. 8

Universal will announce new season production plans to a national meeting of its district and branch sales managers at the Blackstone Hotel, Chicago, Feb. 8, 9 and 10, W. A. Scully, general sales manager, revealed yesterday.

The convention is the earliest to be held by a major company for the purpose of discussing new season's production plans in many years past, and indicates the advancement of new season selling by Universal by about two months.

Company officials said it was uncertain whether the early sales meeting would be followed by a later convention to include the company's salesmen.

The meeting will also discuss sales and production plans for Universal's

(*Continued on page* 4)

Urges Texas Tax On House Grosses

AUSTIN, TEXAS, Jan. 29.—Gov. W. Lee O'Daniel has proposed in a message to the state legislature that a tax be levied on admissions to places of amusement.

The message recommends legislation providing a tax of 1.5 per cent of the total receipts for each quarter to such amusement places. Under the proposed measure, owners would file with the State Comptroller a quarterly report on the 25th of January, April, July and October, indicating the gross receipts for the quarter ended on the last day of the preceding month. The tax would be levied on that amount.

Sottile Building New Charleston House

CHARLESTON, S. C., Jan. 29.—Albert Sottile, president of the Pastime Amusement Co., which operates five theatres here, plans a new house. The site is farther uptown than any of the others and follows a trend in business development.

Other theatres now operated by the company are the Garden, Majestic, Gloria, Victory and Riviera. There is only one other theatre for white persons, the Palace, a second run house operated independently.

Ascap Decree Talk Resumes Tomorrow

Washington, Jan. 29.—Resumption of negotiations between Ascap and the Government for a settlement of the projected criminal anti-trust action against the music society is scheduled for tomorrow or Friday, it was learned here today.

Ascap attorneys and possibly several officials of the society are expected here from New York tomorrow, although the conferences may not actually begin until Friday.

Theatres in N.Y. Area Total 1,068, 4 Under Year Ago

Motion picture theatres operating in the New York exchange area on Jan. 1 totaled 1,068, with a seating capacity of 1,234,260, according to the 1941 directory of the New York Film Board of Trade. This is a decrease of four houses as compared with the 1940 report, which listed 1,072 theatres seating 1,240,304.

The board reports an increase in the total number of theatres,

(*Continued on page* 4)

MPTOA CHALLENGES U. S. DECREE VIEWS

Metro Operations Plans for Decree Still Not Decided

Final decisions on M-G-M's arrangements for consent decree operations may not be made for another two months, William F. Rodgers, general sales manager, said yesterday.

Rodgers, who returned this week from extended conferences at the M-G-M studio, said that final plans for the new season's schedule would be set when he returns to the studio in a month or six weeks. Until then, he said, it will be uncertain when the company will have its first block of pictures ready for trade showings, or how many pictures it will have to offer by Sept. 1.

It will also be several months before the company knows how many additional salesmen it will require for decree operations, Rodgers said.

The M-G-M executive expressed the view that the decree has eliminated production and selling "seasons." The decree, he pointed out, inaugurates the new selling method next Sept. 1, but, thereafter, the consenting companies

(*Continued on page* 4)

Says Neither Complaints Nor Cooperation Are Required

Ed Kuykendall

In a "follow-up" message to exhibitors yesterday, the M.P.T.O.A., through its official bulletin, again reminded exhibitors that "cooperation or participation is not required ot them by the consent decree." Also, in the bulletin, exhibitors were told that they are "not required" to submit complaints to arbitration.

With this, the M.P.T.O.A. takes issue with the recent stand of the Department of Justice urging exhibitor cooperation. The Justice Department statement, which outlined the activities of the special Government unit which has been set up to observe the functioning of the decree, is reproduced in full in this latest M.P.T.O.A. bulletin.

In its reply, the M.P.T.O.A. states: "In some quarters it is being urged that as many complaints as possible

(*Continued on page* 4)

FDR Birthday Gives Theatres Big Business

WASHINGTON, Jan. 29.—With the hotels of the capital jammed, and a holiday atmosphere pervading the air hereabouts, in anticipation of the President's Birthday celebrations here tomorrow night, theatres are reporting strong business.

"Kitty Foyle" and "Gone With the Wind" are playing to capacity at Keith's and the Palace, respectively; "North West Mounted Police" is also reported strong in the second week at the Earle, and "Maisie Was a Lady" is faring well at the Capitol, aided by a stage show. Visitors who are pouring into town, are not overlooking their screen entertainment the theatre reports indicate.

Scores of local showmen are aiding in the arrangements for the various parties tomorrow night. They include Hardie Meakin, Andrew Kelley, Carter Barron, Frank LaFalce, Sidney Lust, Harry Lohmeyer and Ray Bell.

Among the Hollywood stars who are here already or are due tomorrow to aid the celebration, the proceeds of which will go to the infantile paralysis drive, are:

Wallace Beery and his daughter, Carol Ann, Wayne Morris, George Raft, Maureen O'Hara, Charlotte Greenwood, Lana Turner, Al Ritz and Key Aldrich.

They joined Deanna Durbin, Preston Foster, Stirling Hayden, Red Skelton and Carolyn Lee, and a number of Coast directors, publicity men and others.

This afternoon the visiting stars were entertained at a Mayflower reception given by Mrs. Alben Barkley, wife of the Senate majority leader; Mrs. Jean Hersholt, wife of the actor; Mrs. Robert M. LaFollette, wife of the Wisconsin Senator, and Mrs. C. C. Pettijohn.

Freiday Resigns As Director of 'U'

William Freiday resigned from the Universal board of directors at the meeting on Tuesday, it was learned yesterday. No successor will be elected until the annual meeting of Universal stockholders in March.

Freiday was the author of an action against Universal last year which charged officers with mismanagement and dissipation of assets. A similar action, in which Samuel I. Posen, another director representing first preferred stockholders, is a plaintiff, is pending. Universal officials assert that the company will insist upon trial of the action and has retained Joseph M. Proskauer as its attorney.

No plan for the immediate retirement of the remaining 10,739 shares of Universal's eight per cent first preferred of an original 17,250 shares issued, has been approved yet. However, the retirement of the shares outstanding remains as an objective of the company.

Coast Flashes

HOLLYWOOD, Jan. 29.—Max Golden, former associate producer at 20th Century-Fox and more recently in the production department at that studio, resigned today to become production manager for Edward Small Prod., releasing through United Artists.

Francis Harley, 20th Century-Fox manager for Great Britain, left here today for Miami where he will spend several days before leaving for New York en route back to London.

Preliminary judging of short subjects nominated for the Academy of M. P. Arts & Sciences awards starts tomorrow with a committee reviewing one reel subjects. Friday night two-reel nominations will be viewed and on Monday, cartoons. The judges will select three entries for the final competition. Nine songs written for pictures and 26 motion picture musical scores were nominated today for the Academy's three music awards.

Irving Cummings who directed "Arizona," the first all-talking, outdoor picture for Fox in 1928 and who has been with the studio since then, was given a new term deal by 20th Century-Fox today.

Arthur W. Kelly, United Artists vice-president in charge of distribution, will leave for New York tomorrow to meet Gabriel Pascal, scheduled to arrive from Europe with a print of "Major Barbara" early next week. Pascal will come here to show the film to United Artists executives and discuss sales plans for the picture.

Lou Hyman, general manager for Sol Lesser Prod., will leave for New York Friday with a print of the Ernst Lubitsch picture, "That Certain Feeling."

Personal Mention

A. H. BLANK, head of Tri-States Circuit, Des Moines, has left with MRS. BLANK for a six-week stay at Hollywood Beach, Fla.

•

WILL WHITMORE of the Western Electric advertising department is confined to his home with an eye infection.

•

A. E. MEYER, general sales manager of International Projector Corp., is on a swing through the West, visiting company branches.

•

E. BRUCE JOHNSON, president of General Register Corp., is ill with the grippe.

•

LOUIS GERARD PACENT, president of Pacent Engineering Corp., is suffering from the flu.

•

MORTON G. THALHIMER, president of Neighborhood Theatres, Richmond, and MRS. THALHIMER, are attending a National Real Estate convention in New Orleans. They will proceed from there to Mexico for a 10-day vacation.

•

ED GIDDLEY, student assistant at Loew's, Richmond, has gone to Harrisburg, Pa., to pinch-hit for Loew's assistant-manager CARL ROGERS.

•

EDITH LINDEMAN, motion picture editor of the *Times-Dispatch*, Richmond, leaves for Hollywood next week for three weeks.

•

ALEC RAVDIN, manager of the Capitol Theatre, Richmond, has returned to duty after a bout with the flu.

WILLIAM PERLBERG, associate producer at 20th Century-Fox, and JACK BENNY arrive from the Coast today via American Airlines.

•

LEE FISHER, assistant to JOHN BARCROFT, RKO director of advertising and publicity in Columbus, has gone to Camp Shelby, Miss., for army service.

•

HY FINE, M & P district manager in Boston, and ALEXANDER HAMILTON, manager of the Empress, Norwalk, Conn., have returned from Chicago.

•

EDWARD DOWDEN of Loew's exploitation staff here leaves for Buffalo tomorrow.

•

ADOLPH ZUKOR, BARNEY BALABAN, WILLIAM GARGAN, LEE COBB, MARCUS HEIMAN, CLIFFORD ODETS, J. J. MURDOCK, MORRIS GEST, MAX WOLF, and WILLIAM JOHNSTONE lunching at Sardi's yesterday.

•

DAVID LOEW, EDMUND C. GRAINGER, LOUIS NIZER, ROBERT O'DONNELL, WILLIAM A. SCULLY, ROBERT WEITMAN, ABE WAXMAN, GEORGE SKOURAS and SAM RINZLER at Nick's Hunting Room in the Astor for lunch yesterday.

•

JAMES MULVEY, J. J. MILSTEIN, JACK GOETZ, HAL HORNE, and MARTIN MOSKOWITZ lunching yesterday at Lindy's (51st St.).

•

NATE SPINGOLD, ABE SCHNEIDER, EUGENE PICKER, HARRY GOLD, and MARVIN SCHENCK having lunch at Lindy's (next to the Rivoli) yesterday.

Henry Koppin Dies

TOLEDO, O., Jan. 29.—Henry S. Koppin, who operated a circuit of theatres in the Detroit area for many years, died here recently after a stroke. He was 64 years old.

Rites for Riegelman

DES MOINES, Jan. 29.—Services were held today for Abe W. Riegelman, 53, for the past 15 years a salesman at the 20th Century-Fox exchange, who died Monday at a local hospital following a heart attack. He is survived by a son, Dr. Ralph Riegelman.

Virginia MPTO to Meet on Monday

RICHMOND, Jan. 29.—The regular Winter convention of the M.P.T.O. of Virginia will be held in Washington on Monday, with headquarters at the Shoreham Hotel. President W. F. Crockett of Virginia Beach will conduct the business session on Monday.

A banquet and ball will take place Monday evening, and a floor show will be composed of current acts at Loew's Capitol and Earle Theatres. Allen Sparrow, manager of Loew's in Richmond, will have charge of the entertainment. A committee on arrangements is headed by Frank O'Brien, assisted by Harold Wood, Herman Rubin, Nat Glaser, Carter Barron and Julian Brylawski.

Connors Leaves On Tour of Offices

Thomas J. Connors, Eastern, Canadian and Southern sales manager for M-G-M, has left on a 10-day trip, which will take him to Philadelphia and Washington and a swing through the company's branches in the South.

Dismiss Warner Suit

Federal Judge John Foster Symes after trial yesterday dismissed the plagiarism suit of Milton Herbert Gropper against Warners, in which he had charged infringement of his play, "Ex-Racketeer," in the film "Alcatraz."

TWA 4-Engine Stratoliners
To CALIFORNIA and PHOENIX
Now—fly the Skyway Closest to the Sun to the sunshine country of the Southwest! It's only overnight, flying the Route of the Stratoliners!
To PHOENIX $139.90 1 Flight Daily • To LOS ANGELES $149.95 4 Flights Daily
10% Reduction on Round Trips
Ask Your Own Travel Agent About All-Inclusive Southwest Air Tours
TRANSCONTINENTAL & WESTERN AIR, INC.
Murrayhill 2-1122
Air Lines Terminal Bldg.
Park Avenue at 42nd St.
24-Hour Reservation Service
ROUTE OF THE STRATOLINERS
TWA The TRANSCONTINENTAL Airline

'Quiet Wedding' Fine

London, Jan. 29.—Paul Soskin's new film for Paramount, "Quiet Wedding," seen by the press here, appears a big success. It will open at the Plaza on Friday. It is a delightfully witty film, brilliantly directed by Anthony Asquith, with a superlative cast.

It is a fine contribution to Paramount's British films for the world market. In an essentially English atmosphere, the film extracts the maximum of comedy from Terence Rattigan's play exploiting the matrimonial foibles of the upper middle class. The production is of Hollywood standard. Margaret Lockwood is starred.

Flanagan

Queries Are Filed in Schine Trust Action

BUFFALO, Jan. 29.—Extensive interrogatories were filed in Federal District court here yesterday against Schine Chain Theatres, Inc., and its affiliated companies by U. S. Attorney George L. Grobe in the anti-trust proceedings against the circuit.

The interrogatories seek details of the Schine corporate family, addresses of the principal executive and branch offices of the circuit, names of managers, their duties and authority; territory covered by each office, admission prices in various theatres of the circuit and similar details.

Lunch in New Haven For Joseph Monday

NEW HAVEN, Jan. 29.—A farewell luncheon will be held here Monday at Ceriani's Restaurant for Morris Joseph, who has retired after 25 years as Universal manager here.

The luncheon committee includes: Max Tabackman, Samuel Seletsky, Herman Levy and Harry Shaw. Levy will be toastmaster. Joseph will leave on Tuesday to take up permanent residence in Miami.

Two New Theatres Set

ROCHESTER, N. Y., Jan. 29.—Two building projects to include two 1,000-seat theatres are under consideration by the planning board of Brighton, N. Y.

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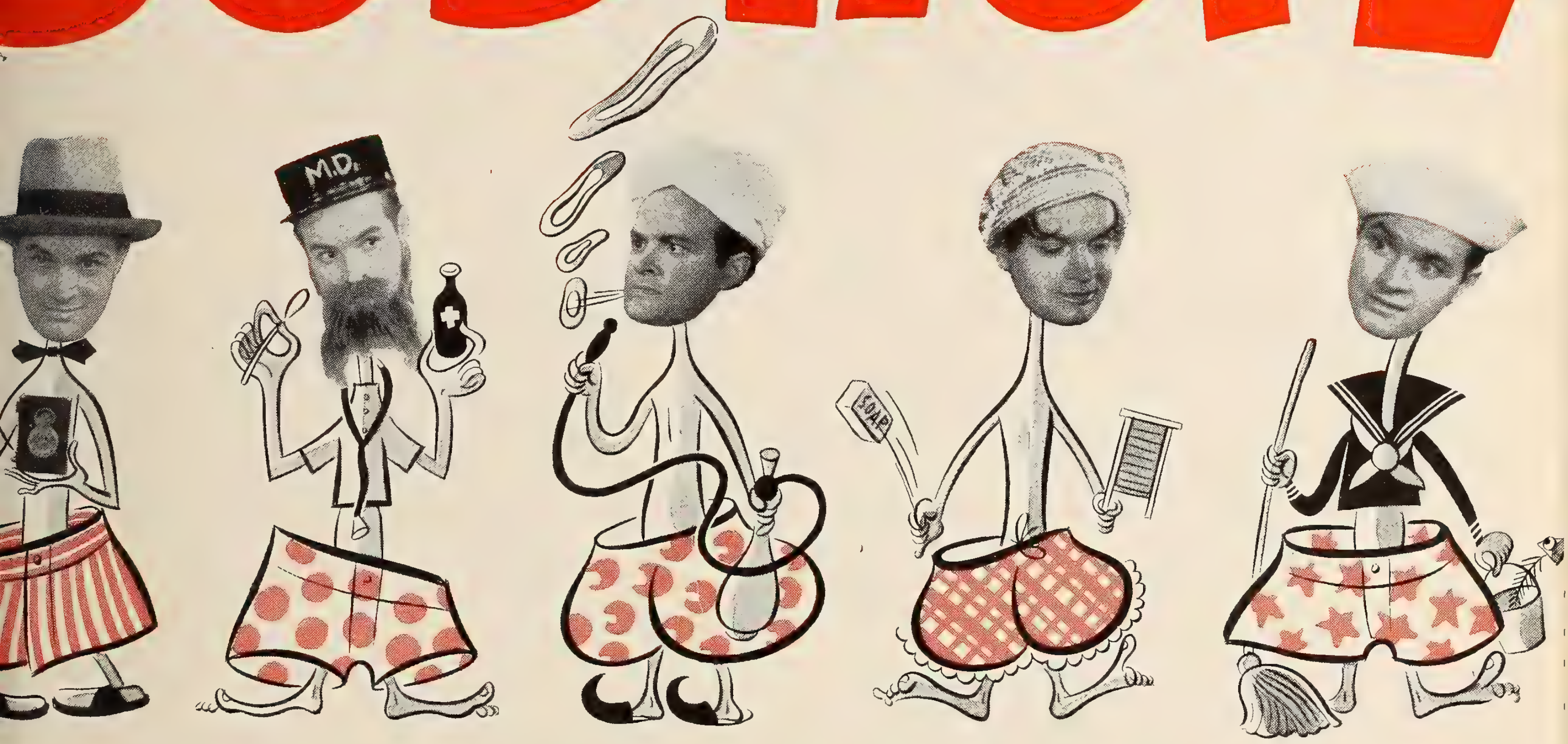
BOB HOPE



N 5 BIG SHORTS!

Two reels each
and every one a feature
in everything but length!

'SHOP TALK'
'THE OLD GREY MAYOR'
'DOUBLE EXPOSURE'
'WATCH THE BIRDIE'
'CALLING ALL TARS'

VITAPHONE
MADE THEM!
YOU GET THEM
NOW WHILE
HE'S HOT!
AT YOUR
WARNER
EXCHANGE!

'U' to Reveal New Season's Plans at Meet

(Continued from page 1)

product for the balance of the current season, much of which has been augmented by the addition of production values in casting, direction and stories not promised at the season's outset, Scully said. Twenty-nine features and a serial, all of which either are completed, in work or in preparation, will be delivered by Universal between now and Sept. 1.

It was learned that the company's new season program will closely parallel numerically the 45 features and 14 action pictures sold this season. However, production budgets have been increased for the new lineup and a considerably higher proportion of the pictures will be high budget attractions with correspondingly greater "name" and story values.

Universal, which, of course, is not a party to the consent decree, stands to benefit from an early selling program, both in the event that summer releases from other companies are curtailed in preparation for decree operations, or in the event, as is generally believed in the trade, that exhibitors will want the benefit and assurances of "block" buying because of the uncertainties of decree operations.

Executives to Attend

An indication of the importance of the meeting is gained from the list of executives who will attend.

The home office contingent will be led by J. Cheever Cowdin, chairman of the board; Nate J. Blumberg, president; Scully; Frank J. A. McCarthy, William J. Heineman, Joseph Seidelman, Adolph Schimel, B. B. Kreisler, James J. Jordan, F. T. Murray, Andrew J. Sharick, Morris Alin and Hank Linet.

The studio group will include Cliff Work, vice-president and general manager; Matthew Fox, Joe Pasternak, Milton Field, Dan Kelley and John E. Joseph.

From the field the following will attend: District Manager Jules Lapidus, from New York; Branch Managers Dave Levy, New York; Paul Baron, Boston; John V. Pavone, New Haven; George E. Schwartz, Philadelphia; Max Cohen, Washington.

District Manager Dave Miller, Cleveland; Branch Managers J. R. Kauffman, Cleveland; Peter Rosian, Cincinnati; John J. Scully, Buffalo; J. J. Spandau, Albany; Pete Dana, Pittsburgh; District Manager H. D. Graham, Atlanta; Branch Managers John Ezell, Atlanta; J. A. Prichard, Charlotte; H. I. Mansfield, Memphis; W. M. Richardson, New Orleans; Ed S. Olsmith, Dallas; James Hobbs, Oklahoma City; District Manager J. E. Garrison, Kansas City; Branch Managers Grover Parsons, Kansas City; Harry Hynes, St. Louis; Lou Levy, Des Moines, Otto Siegel, Omaha.

Also: District Manager A. J. O'Keefe, Los Angeles; Branch Managers C. J. Feldman, Los Angeles; Jack Langan, Denver; R. O. Wilson, Portland; C. R. Wade, Salt Lake City; Barney Rose, San Francisco; L. J. McGinley, Seattle; District Manager E. T. Gomersall, Chicago; Branch Managers M. M. Gottlieb, Chicago; Ed Heiber, Detroit; H. H. Hull, Indianapolis; Frank Mantzke, Milwaukee; L. J. Miller, Minneapolis and Gordon Craddock, special representative.

MPTOA Challenges View Of Government on Decree

(Continued from page 1)

be filed for arbitration to 'cooperate in giving the consent decree a fair trial.' This is a strange sort of cooperation for exhibitors to offer. We doubt if it is constructive cooperation to see how many complaints and grievances can be stirred up for arbitration. If the complaint is genuine, and cannot be settled by negotiation, the exhibitor then must decide for himself whether it should be submitted to arbitration, with full knowledge of the costs and uncertainties involved."

"Notwithstanding the expressed views of the Department of Justice, whose baby the decree is apparently," the bulletin continues, "there is nothing that exhibitors can do that will either help or hinder the application of the decree.

"M.P.T.O.A. ventures to predict that the decree will merely demonstrate once again the utter futility of trying to solve our commercial and economic difficulties by dragging them through the courts. . . . We propose to watch closely developments under the decree and take advantage of any practical benefits (if any) that can be secured for exhibitors through its provisions, but we are not going to be fooled into expecting benefits that are not in it."

"In the meantime," the bulletin concludes, "let's try to work out our grievances and complaints by friendly negotiation and mutual understanding rather than by bitter hostilities and trial by combat in the courts, in the legislatures or before outside arbitrators. Only the lawyers profit from the law."

The bulletin also warns exhibitors against projected admission tax legislation in a number of states and urges them to cooperate with regional exhibitor organizations in opposing such measures by presenting the theatres' full case to the legislatures.

Richmond Union Will Hold Benefit Feb. 25

Richmond, Jan. 29.—The 12th annual theatrical ball, sponsored by Local 87 of the operators' union, will take place at Tantilla Garden on Feb. 25. Proceeds go to the local's relief fund.

General chairman for the ball is Harry Jarvis, assisted by Tom Jones, Dan Harrison, Otis Bugg, C. C. Colgin, Earl Clator, John Clator, Frank Matthews, Tom Murphy, James Evans, Joe LaPrade, L. C. Ratliff, John Leary, C. C. Lievs, Stuart Atkinson, William B. Walsch, Kenneth Sickinger, Louis Levin, Clark Wilson and Bernard McCann.

Decide Metro Decree Moves in Six Weeks

(Continued from page 1)

have a continuous operation of selling pictures in maximum blocks of five as those pictures come from the studios, regardless of established industry "seasons."

Cole Is Reelected By National Allied

Washington, Jan. 29.—H. A. Cole was reelected president of Allied States Association for a third consecutive year at the close of the organization's annual directors meeting here yesterday.

Other officers elected were: Abram F. Myers, chairman of the board and general counsel; Charles Olive, secretary; Martin Smith, treasurer; Arthur Howard, recording secretary, and Herman Blum, financial secretary.

Elected to the executive committee were: Cole, Myers, Smith, Nathan Yamins, Sidney Samuelson, Jack Kirsch, M. A. Rosenberg and Roy E. Harrold.

W. A. Steffes, retired from the national board because of ill health, was appointed honorary national councillor of Allied in recognition of his lengthy service to the organization.

In a statement on Allied's position on the consent decree, the organization's policy committee "conceded" that the decree: ends blind selling, increases the elasticity of selling but does not abolish compulsory block booking, places an undue film buying burden on exhibitors under a method which permits the imposition of "harsh terms" on exhibitors, offers an effective means of ending forcing of shorts and newsreels; should prevent "exclusive selling," should be effective in adjusting unreasonable clearances, is of dubious value in preventing discrimination in granting of some run, and is "weakest and most disappointing" in not effecting affiliated theatre divorcement.

Ohio Games Called State Law Violation

Washington Court House, O., Jan. 29.—Declaring that chance games as conducted by the Fayette are a lottery and in violation of the Ohio law, Common Pleas Judge H. M. Rankin overruled a motion by Hoy Simons, operating the Fayette, and others, and continued the injunction previously granted, only as it applied to Chief of Police Jack Wolfe in preventing him from destroying any property seized in game raids.

Immediately following the decision, City Manager Edwin Dulcy declared that steps would be taken at once to stop the game, unless it is ended voluntarily by the theatre. The action was filed in March, 1940, but opposing counsel agreed to be guided by a decision of Ohio Supreme Court in a similar case at Troy. When that court recently held that police officers could not be enjoined from seizing equipment, Simons filed a demurrer.

Cut Theatre Prices

Cresco, Ia., Jan. 29.—Admission prices at Central States' Cresco Theatre have been reduced from 21 to 16 cents for Wednesday and Thursday for all seats, and the Friday and Saturday admissions have been cut from 30 to 21 cents.

Showmanship Flashes . . .

Contest Used for Return 'Wind' Run

Toledo, O., Jan. 29.—Loew's Valentine here is furthering interest in the return engagement of "Gone with the Wind" with a contest for the best 200-word description of the scene or episode that most impressed the contestant. Manager J. E. Lykes arranged the stunt.

Cow-Milking Contest Plugs 'Little Men'

At the RKO Alden in Jamaica, three live prize-winning cows were used on the stage in a cow-milking contest as an exploitation stunt for "Little Men," in which appears Elsie the Borden cow.

Naval Air Show Aids 'Flight Command'

Baltimore, Jan. 29.—William Saxton of Loew's Theatre here arranged with the U. S. Navy for a special air show in connection with the premier of "Fight Command."

Choir on Stage Used To Sell 'Tin Pan Alley'

Bloomsburg, Pa., Jan. 29.—Manager George Bittinger of the Capitol for "Tin Pan Alley" arranged to have a recently organized male choir of a local carpet factory present a program on stage.

Telephone Tieup Is Used to Publicize Films

Sayre, Pa., Jan. 29. — Manager Thomas Pawley of the Sayre Theatre has a novel way of publicizing his shows. He has an arrangement with the telephone exchange at nearby Nichols, N. Y., to announce his attractions over a hook-up of 500 phones weekly at no expense to the theatre.

False Theatre Front Aids 'Arizona' Run

Allentown, Pa., Jan. 29. — For "Arizona," Milan Todorov, assistant manager of the Colonial, and Ed Rosenbaum, Columbia exploitation man, had a false theatre front in the form of a covered wagon with blow-ups of stars and action shots; girl in cowboy costume handing out gum on the street plugging the picture, and arrows on nearby street corners pointing to the theatre, reading, "This Way to Arizona at the Colonial."

1,068 Theatres in N. Y. Metropolitan Area

(Continued from page 1)

both in operation and dark, over last year. There are now 1,208 houses with a seating capacity of 1,346,594 in the exchange area, while last year's total was 1,197 with 1,343,883 seats.

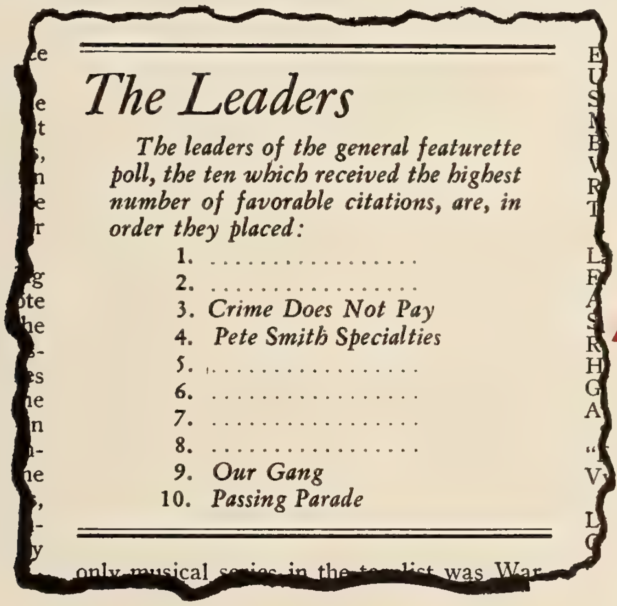
The present number of theatres closed is 140, which is 15 over last year's figure. All 16 silent theatres in the area are closed.

The directory further discloses that there are 131 affiliated theatres in the State of New York and 66 in New Jersey. The number of unaffiliated houses in New York is put at 434 and in New Jersey at 128.

Of the total of 1,208 houses in the area, 759 are circuit theatres and the remaining 449 are independent.

FOUR OUT OF TEN WINS!

The record speaks for itself! There can be no question as to which company won the Quigley Short Subject Annual Exhibitor Vote. The results appeared on Page 21 of Motion Picture Herald, issue of Jan. 11, 1941, as follows:



The Leaders

The leaders of the general featurette poll, the ten which received the highest number of favorable citations, are, in order they placed:

1. . . . .
2. . . . .
3. *Crime Does Not Pay*
4. *Pete Smith Specialties*
5. . . . .
6. . . . .
7. . . . .
8. . . . .
9. *Our Gang*
10. *Passing Parade*

only musical series in the top list was War

M-G-M	**4**
Next Company	3
Next Company	1
Next Company	1
Next Company	1

Leadership means doing the unusual *first!*
Here's M-G-M's newest idea:
Tapping an unexplored field;
Short story masterpieces at last
On the screen—the first is
"THE HAPPIEST MAN ON EARTH"
One of M-G-M's most important steps
In years of short subject leadership.

●

Get ready for PETE SMITH'S "PENNY TO THE RESCUE," another Prudence Penny cookery comedy in Technicolor. It's swell. Also CAREY WILSON'S "MORE ABOUT NOSTRADAMUS," a sequel to the prediction short that fascinated the nation.

Watch for this great short subject!

"THE HAPPIEST MAN ON EARTH"

featuring

PAUL KELLY
VICTOR KILLIAN

The O. Henry Memorial Award-Winning Short Story

'Philadelphia' Hit at $27,500 In That City

Philadelphia, Jan. 29.—Inclement weather the last days of the week held down the grosses at the downtown houses. With mostly holdovers and second runs, "Philadelphia Story" led, giving the Boyd $27,500.

"The Son of Monte Cristo" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $5,200. (Average, $9,000)

"North West Mounted Police" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $4,200. (Average, $2,600)

"Philadelphia Story" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $27,500. (Average, $13,000)

"Invisible Woman" (Univ.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Ted Weems' orchestra, Perry Como, Elmo Tanner, Red Ingle, Orn Downes, Marvel Maxwell, Mardoni, Gene Sheldon with Loretta Fischer, Dennett & Dae. Gross: $15,500. (Average, $14,000)

"A Little Bit of Heaven" (Univ.)
FAY'S—(2,190) (15c-29c-35c-46c-57) 7 days, subsequent run with vaudeville including Noel Carter, Vicki Wells, Roy Davis, Jackie White, Ballard & Rae, Elmer Cleve with Marilyn Keller and Professor Cheer, Stanley Benson & Co. Gross: $6,400. (Average, $6,900)

"Santa Fe Trail" (W. B.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,800. (Average, $3,000)

"Love Thy Neighbor" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $14,800. (Average, $13,000)

"Kitty Foyle" (RKO)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,200. (Average, $4,500)

"Comrade X" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $8,200. (Average, $14,000)

"Texas Rangers Ride Again" (Para.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $3,700. (Average, $4,500)

'Luck' and Goodman Best in Providence

Providence, Jan. 29. — Grosses at most downtown houses ran close to average, the Ice Follies at the R. I. Auditorium and the grippe epidemic holding revenue down.

Estimated takings for the week ending Jan. 22-23:

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 3rd week. Gross: $7,000. (Average, $6,000)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,700. (Average, $11,000)

"Hudson's Bay" (20th-Fox)
"Six Lessons from Madame La Zonga" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,000. (Average, $6,500)

"Victory" (Para.) (2 days)
"Dancing on a Dime" (Para.) (2 days)
"Cherokee Strip" (Para.) (5 days)
"Bowery Boy" (Rep.)
STRAND — (2,200) (28c-39c-50c). Gross: $5,000. (Average, $6,000)

"You're Out of Luck" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Benny Goodman and orchestra, Shea and Raymond, and Toy and Wing. Gross: $7,100. (Average, $4,000)

"Go West" (M-G-M)
"Land of Liberty" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 2nd week. Gross: $1,500. (Average, $3,500)

"Lone Star Raiders" (Rep.)
"Girl in the News" (20th-Fox)
FAY'S — (1,800) (15c-28c-39c). Gross: $2,000. (Average, $2,500)

"Bitter Sweet" (M-G-M) (3 days)
"So You Won't Talk" (Col.) (3 days)
"The Long Voyage Home" (U. A.) (4 days)
"Christmas in July" (Para.) (4 days)
EMPIRE—(2,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $2,000)

Production Notes

Hollywood, Jan. 29

GEORGE MURPHY, Burgess Meredith and Alan Marshall will be Ginger Rogers' leading men in RKO's "Tom, Dick and Harry." The picture will be produced by Robert Sisk and directed by Garson Kanin. . . . Alan Mowbray and Fuzzy Knight have been set for a 20th Century-Fox picture tentatively titled "The Cowboy and the Blonde." . . . Mary Beth Hughes goes into the cast of the same studio's "The Great American Broadcast."

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H. C. Potter, director, and producer Boris Morros are negotiating a deal under which the former's story, "Wings of Democracy," story of national defense, would be produced for Paramount release. . . . Tyrone Power will be starred in 20th Century-Fox' "Confirm or Deny," original story by Hank Wales and Samuel Fuller, dealing with political corruption. . . . The studio also purchased Hugh Walpole's "Blind Man's House." . . . Albert Basserman gets a featured role in M-G-M's "A Woman's Face," Joan Crawford vehicle.

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Bob Steele draws the top role in Republic's "The Great Train Robbery." . . . Robert Young will be teamed with Ann Sothern in M-G-M's "Lady, Be Good." . . . M-G-M has purchased "Reunion," story by Ladislaus Bus-Fekete, of Paris, under German occupation. Joseph Mankiewicz will produce.

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Norman Moray, Warner shorts sales head, arrives in Hollywood Feb. 1 for conferences on new product. . . . Reginald Denny and Edmund Gwenn have joined the cast of Paramount's "One Night in Lisbon." . . . Eve Arden and John Hubbard are set for Columbia's "A Girl's Best Friend Is Wall Street." . . . Monogram reports the following circuit deals: Shea Theatres, Cleveland; Cumberland Circuit, Atlanta; Schine, Albany and Buffalo; Theatre Service Circuit, New Orleans, and E. M. Loew Theatres, Boston.

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Ida Lupino draws the feminine lead in Warners' "The Gentle People," from the Irwin Shaw play. . . . Little Carolyn Lee, who scored a hit in Paramount's "Virginia," gets a new contract and the starring role in "You Go Your Way," which Edward H. Griffith will produce and direct. . . . Charles Brackett and Billy Wilder have been loaned by Paramount to Samuel Goldwyn for an unannounced writing chore.

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Bud Abbott and Lou Costello have been signed by Decca for a series of records, featuring their comedy. They are presently engaged in Universal's "Oh, Charlie," described as a "horror-comedy." . . . David O. Selznick's "Rebecca" makes its return in Los Angeles at the Hawaii, starting Feb. 12. . . . Columbia has given director Alexander Hall a new term contract. . . . Warners have extended Raoul Walsh's contract.

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Jules White, Columbia short subjects producer, is planning a sequel to "You Nazty Spy," Three Stooge two-reeler of a year ago. It will be called "I'll Never Heil Again," and White has assigned Felix Adler and Clyde Bruckman to do the script.

'Wind' Is Buffalo Smash at $22,700

Buffalo, Jan. 29.—"Gone With the Wind" was big at the Great Lakes with $22,700. "This Thing Called Love" made $7,800 at the Lafayette. "Flight Command" at the Hippodrome drew $7,900.

Estimated takings for the week ending Jan. 25:

"Victory" (Para.)
"Christmas in July" (Para.)
BUFFALO — (3,389) (30c-55c) 7 days. Gross: $8,000. (Average, $12,000)

"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (40c-55c) 7 days. Gross: $22,700. (Average, $7,500)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $7,900. (Average, $6,800)

"Kitty Foyle" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days, 2nd week. Gross: $7,800. (Average, $7,500)

"This Thing Called Love" (Col.)
"Phantom Submarine" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $8,000. (Average, $6,300)

Henie Revue Hurts Indianapolis Films

Indianapolis, Jan. 29.—The Sonja Henie Ice Revue here is expected to provide strong competition for exhibitors. The show open for six days tomorrow, and the advance sale at $2.75 top indicates a probable gross of $90,000. Last year it took $75,000.

Films for Greek Relief

A short subject made up of films of the Greek-Italian war will be distributed by the Greek War Relief Association throughout the country in connection with the organization's drive for funds. The films are now en route here from Egypt.

'Wind' Is Smash in St. Louis, $25,500

St. Louis, Jan. 29.—"Gone With the Wind," playing to record-breaking crowds at the Loew's State, stimulated business all over town. The film drew nearly 65,000 persons in a week for $25,500 at regular prices.

Estimated takings for week ending Jan. 23:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (40c-56c) 7 days. Gross: $25,500. (Average, $13,000)

"Four Mothers" (W. B.)
"No, No, Nanette" (RKO)
AMBASSADOR—(3,018) (28c-36c-44c-56c) 7 days. Gross: $9,500. (Average, $11.500)

"Love Thy Neighbor" (Para.)
FOX—(5,038) (30c-40c-50c) 7 days. Club Plantation revue on stage. Gross: $13,000. (Average, $11,000)

"This Thing Called Love" (Col.)
"Invisible Woman" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $6,000. (Average, $4.000)

"Submarine Patrol" (20th-Fox)
"Night Train" (20th-Fox)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,400. (Average, $2,600)

'Story' Pulls Good $8,900, Seattle's Best

Seattle, Jan. 29.—"The Philadelphia Story" took a strong $8,900 to top the town at the Fifth Avenue. "Second Chorus" at the Orpheum did $6,100. The weather was fair and mild.

Estimated takings for the week ending Jan. 24:

"White Zombie" (Univ.)
"Phantom of Chinatown" (Mono.)
BLUE MOUSE—(950) (25c) 7 days. Gross: $2,900. (Average, $4,000)

"The Philadelphia Story" (M-G-M)
"Michael Shane, Private Detective" (20th-Fox)
FIFTH AVENUE—(2,500) (25c-35c-50c-65c) 7 days. Gross: $8,900. (Average, $7,000)

"The Son of Monte Cristo" (U. A.)
"Five Little Peppers in Trouble" (Col.)
LIBERTY — (1,800) (25c-35c-50c-65c) 7 days, 2nd week. Gross: $4,600. (Average, $5,000)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
MUSIC BOX—(950) (25c-35c-50c-65c) 7 days, 3rd week. Gross: $3,000. (Average, $4,000)

"Second Chorus" (Para.)
"Night Train" (20th-Fox)
ORPHEUM—(2,450) (25c-35c-50c) 7 days. Gross: $6,100. (Average, $6.000)

"The Invisible Woman" (Univ.)
"Black Diamonds" (Univ.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $5,200. (Average. $5.000)

"Love Thy Neighbor" (Para.)
"Jennie" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. 2nd week. Gross: $5,800. (Average, $6.000)

'Command' $10,000 Indianapolis Lead

Indianapolis, Jan. 29. — "Flight Command" and "Lone Wolf Keeps a Date" took $10,000 at Loew's and "Second Chorus" and "Texas Rangers Ride Again" drew $8,000 at the Indiana.

Estimated takings for the week ending Jan. 24:

"Victory" (Para.)
"Life With Henry" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,600. (Average, $6,000)

"Second Chorus" (Para.)
"Texas Rangers Ride Again" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $8,000. (Average, $5,500)

"Flight Command" (M-G-M)
"The Lone Wolf Keeps a Date" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $10,000. (Average, $7,000)

"Hudson's Bay" (20th-Fox)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Vaudeville, headed by Johnny Burke. Gross: $8,500. (Average, $8,000)

'Comrade' Captures $10,000 in Montreal

Montreal, Jan. 29.—"Comrade X" led local grossses with $10,000 at Loew's. "Thief of Bagdad" in its fifth week at the Orpheum took $2,700.

Estimated takings for the week ending Jan. 25:

"The Thief of Bagdad" (U. A.)
ORPHEUM — (1,000) (30c-43c) 7 days. Gross: $2,700. (Average, $4,000)

"Comrade X" (M-G-M)
LOEW'S — (2,900) (30c-40c-60c) 7 days. Gross: $10,000. (Average, $7,000)

"Santa Fe Trail" (W. B.)
PALACE—(2,200) (25c-45c-65c) 7 days, 2nd week. Gross: $5,000. (Average, $7,000)

"Submarine Zone" (20th-Fox)
"Glamor for Sale" (20th-Fox)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $5,000. (Average, $4,000)

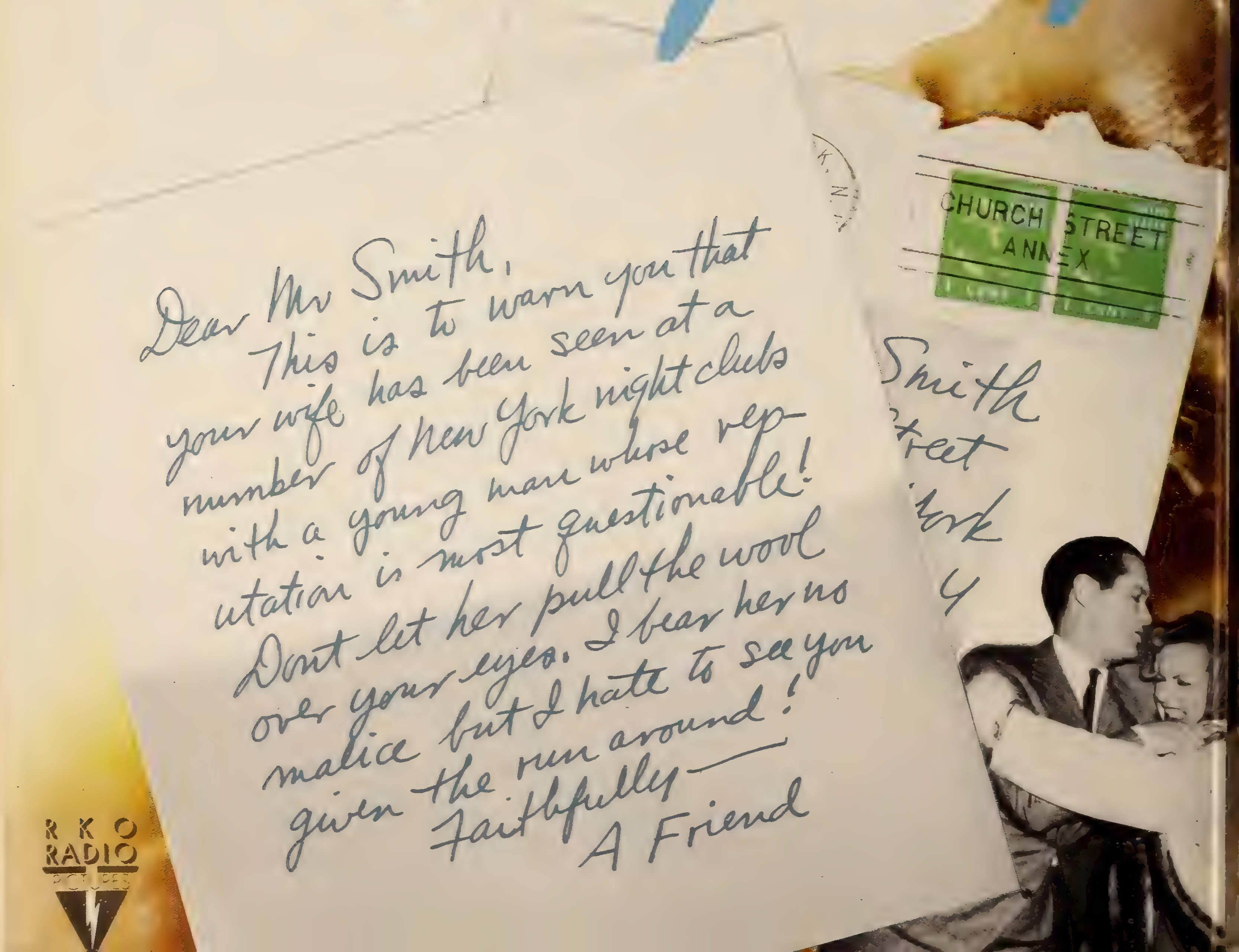
"A Night at Earl Carroll's" (Para.)
"World Aflame" (Para.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $3,000. (Average, $2,500)

Alfred Hitchcock
says
THIS IS
LOVE!

With Two in the TEN BEST for 194

CAROLE *Lombard*

ROBERT *Montgomery*



Dear Mr Smith,
This is to warn you that
your wife has been seen at a
number of New York night clubs
with a young man whose rep-
utation is most questionable!
Dont let her pull the wool
over your eyes. I bear her no
malice but I hate to see you
given the run around!
Faithfully—
A Friend

RKO RADIO PICTURES

ere is Alfred Hitchcock's FIRST for 1941!

HE ALL-TIME PRIZE PANIC OF THE SCREEN!

Mr. & Mrs. Smith

with

GENE RAYMOND JACK CARSON

PHILIP MERIVALE · LUCILE WATSON

Story and Screen Play by NORMAN KRASNA

Directed by

LFRED HITCHCOCK

Jean Arthur

"The Devil and Miss Jones" on the way!

Jean Arthur in "The Devil and Miss Jones," with Robert Cummings, Charles Coburn, Edmund Gwen, Spring Byington and many others. Directed by Sam Wood, director of "Kitty Foyle" and "Mr. Chips." Produced by Frank Ross-Norman Krasna, inc. Screen Play by Norman Krasna.

Lux Program Will Carry Fame Award

Hollywood, Jan. 29.—During the performance of the "Lux Radio Theatre" over CBS Monday at 9 P. M., Cecil B. DeMille, producer of the show will present to David O. Selznick a Quigley Publications parchment "in token of his record as the producer of the greatest number of Box-Office Champion pictures over a period of nine years."

The presentation ceremony will follow the performance of "Rebecca" on the Lux show with Ronald Colman, Joan Fontaine and Judith Anderson in the leading roles. The award is based upon records tabulated for *Fame*.

Film Men Sought by Army for Emergency

As part of the National Defense Program, the Photographic Unit of the U. S. Army is making a check "for the purpose of obtaining information on qualified motion picture men willing to serve in time of national emergency."

Posters have been placed around the various studios urging men over 18 and familiar with any phase of production to register with the Research Council of the Academy of Motion Picture Arts and Sciences. The posters point out that such registration does not mean enlistment but will serve merely as a record of those willing to serve in an emergency.

Begin Inquiry on Toronto Accident

TORONTO, Jan. 29.—Investigation by the Ontario Government into the Dorice Theatre accident recently, when 30 children were overcome by gas fumes, begun today.

Various attendants and employes at the theatre, as well as the fire marshall, city firemen and Sam Lester, owner of the house, testified.

Clinton With BMI

Larry Clinton, band leader and composer and arranger of several tunes, yesterday became the first Ascap writer to align himself with BMI. Clinton's Ascap membership expired Dec. 31, and he signed a three-year agreement with BMI yesterday. The contract covers all music composed or arranged by Clinton after Jan. 1 of this year.

President on Seven Stations Tonight

President Roosevelt's greetings to participants in his birthday ball celebrations throughout the country will be heard over seven local radio stations on a one-hour broadcast beginning at 11:15 tonight. WEAF, WJZ, WABC, WOR, WMCA, WNEW and WHOM will carry the program.

Off the Antenna

RADIO, like the press, must be free in order to function effectively as a weapon of national defense, Niles Trammell, NBC president, asserted in a talk recently to the 16th Women's Patriotic Conference in Washington.

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Purely Personal: *Irving Bendig will start writing scripts for "City Desk" over CBS next week . . . Ethel, John and Lionel Barrymore will be heard over NBC-Blue next Tuesday at 11:30 P.M. in connection with Ethel's celebration of the 40th anniversary of her elevation to featured roles. Also heard on the show will be Arthur Hopkins and Alexander Woollcott . . . Helen Hayes will be guest on "Salute to Britain" over WNEW, Friday, Feb. 7 at 7:45 P.M. . . . Gracie Barrie will be guest on "Hearn's Variety Show" over WHN Monday at 10 A.M. . . . Arnold Jaffe has been named director of Jewish programs for WHOM . . . D. A. Myer, who has been in charge of technical operations at WBZ, Boston, for the past five years, has been named chief engineer for KDKA, Pittsburgh . . . Tom Slater, who produces "This is Fort Dix" for WOR is in the Army hospital at the Fort with the flu.*

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Program News: WHN is distributing a sales brochure on "Kid Wizards" . . . The "Homemakers," a group of women who come to hear the Ida Bailey Allen program over WMCA will tender her a birthday party at the Hotel Pennsylvania this afternoon . . . "Joyce Jordan, Girl Interne," will start its fifth year on the air Monday at 2:15 P.M. over CBS . . . "Ski Time," a new show scheduled to start over WNEW Friday, Feb. 7 at 9:15 P.M. will feature information about the weather for ski and other snow enthusiasts. The U. S. Travel Bureau is cooperating on the show.

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Next week's television schedule for NBC starts with a hockey game between the Rangers and Americans at Madison Square Garden Tuesday evening; wrestling from Jamaica Arena, Friday night; and a college basketball doubleheader from the Garden on Saturday night.

Archives Budget $993,340 in Year

WASHINGTON, Jan. 29.—A total of of $993,340 is provided for activities of the National Archives during the fiscal year 1942 in the first appropriation bill for the session, reported to the House of Representatives today.

The appropriation represents an increase of $60,480 over the current year.

More than 522,000 feet of motion pictures were received by the Archives from private sources during the fiscal year ended June 30, last, R. D. W. Connor, Archivist, told a House Appropriations subcommittee during hearings.

All told, the Archives' motion picture holdings now amout to 4,352,419 feet of film and 3,754 recordings, he said.

Equipment Need Urgent

Most urgent need is equipment for duplicating film, Connor said. Approximately 85 per cent of the film now held is on nitrate base, which is not only dangerous but unstable. A transfer to acetate film is desired.

Hearings on the appropriation for the Budget Bureau disclosed that that agency, at the suggestion of the subcommittee, is making an extensive survey of Government expenditures for motion pictures and radio.

Questionnaires are being sent to the heads of all departments and agencies for information on their proposed expenditures for the current fiscal year for film production and broadcasting, the results of which later will be submitted to Congress. This is the first study of the kind ever undertaken.

Sues Over Song Use

Robbins Music Corp. has filed suit in the U. S. District Court against CBS charging the unauthorized use of one of its songs in a broadcast. The complaint states WEEI, Boston, on Jan. 14, 1941, broadcast the Robbins' song, "Don't Be That Way."

Permit WOR Move Here from Newark

WOR received permission from the FCC yesterday to change the location of its main studios from Newark to New York City and the Newark studios will be closed after Saturday.

"Although WOR will continue its policy of serving particularly the interests of Newark and New Jersey listeners," Alfred J. McCosker, WOR president, said, "the change in its main studios will permit more effective coordination of the program and talent resources available in New York. The location of WOR's high power transmitter remains at Cartaret, N. J."

Films Nominated for Art Direction Award

HOLLYWOOD, Jan. 29. — Nominated for the black-and-white art direction award of the Academy of Motion Picture Arts and Sciences are: "Arise My Love," "Arizona," "Boys From Syracuse," "Dark Command," "Foreign Correspondent," "Lillian Russell," "My Favorite Wife," "My Son, Mv Son," "Our Town," "Pride and Prejudice," "Rebecca," "The Sea Hawk," "The Westerner."

For the color art direction award, nominees are: "Bitter Sweet," "Down Argentine Way," "North West Mounted Police," "The Thief of Bagdad."

Sunday Is Best Day For British Houses

LONDON, Jan. 29.—The London Branch of the Cinematograph Exhibitors Association, in its annual meeting yesterday, discussed problems of adjustment made necessary by the war, and it was agreed that Sunday is now the exhibitors' most profitable day.

Sunday opening hours were discussed, and it was decided to ask various local authorities to allow Sundav opening until 11 P.M., as it was before the war. Sid Hyams presided.

$4,259,729 Fiscal Year FCC Budget

WASHINGTON, Jan. 29.—Total appropriations of $4,259,729 were today recommended for operation of the Federal Communications Commission during the fiscal year beginning July 1, next, in the independent offices appropriation bill reported by the House Appropriations Committee.

The sum represents the full amount recommended in the annual budget and is a net increase of $1,883,389 over the current appropriation.

All of the net increase and more is provided in a new fund of $1,920,000 given the commission for national defense activities, but the reduction in funds for regular activities is only apparent, since the current appropriation carried $175,000 for relocation of monitoring stations for which no further expenditure will be required.

Possibilities of making the commission self-supporting through the imposition of taxes on licensees were suggested by Representative Richard B. Wigglesworth (Rep., Mass.) during hearings before the House Appropriations subcommittee in charge of the bill.

Fees Being Studied

Testifying before the subcommittee, Chairman James L. Fly disclosed that the matter was of interest to the commission and that a study now was being made of license fees at various levels.

Representative Wigglesworth expressed interest in a 15 per cent tax on station and network earnings, and Fly estimated that some $3,900,000 could be raised in that manner, explaining that 478 stations reported earnings of $20,427,000 in 1939 and the networks $5,631,000.

Fly's testimony covered a variety of points, most of them raised by Representative Wigglesworth, who for several years has been seeking a Congressional investigation of broadcasting. The FCC chairman promised that the final report on the chain-monopoly hearing would be submitted within a month but refused to predict what recommendations, if any, would be made.

Suspect

Washington, Jan. 29

A TALL man emerged from the alley exit of Loew's Capitol and was pounced upon in the snow by Secret Service men. He was in a tough spot until Col. Edmund Starling, chief of the White House detail, came to the rescue.

The victim was Carter Barron, Loew division manager, who was heading for the National Theatre via the back door. The reason for the excitement was that President Roosevelt was attending a benefit performance at the National. Barron was admitted—and by the President's special entrance.

UNTIL YOU CAN SEE THIS GREAT PICTURE FOR YOURSELF

. . until we can actually report its performance to you, let the experts who see *all* pictures tip you off that here is one of TOPMOST importance!

"Brilliant production of Remarque novel has beauty, pathos and comedy and should score heavily." —*Film Daily*

"A most auspicious beginning for the Loew-Lewin producing combination. A poignant and moving picture." —*Motion Picture Daily*

"A magnificent production . . . should win favor at the box-office." —*Hollywood Reporter*

"One of the best motion pictures I have ever seen!" —*Harry Crocker, Los Angeles Examiner*

"Deeply impressive, beautifully acted and excellently directed and produced." —*Dorothy Manners, International News Service*

"In the forefront of 1941's contenders for top motion picture honors. Audiences will thrill to the exciting story." -*Jay Emanuel Publications*

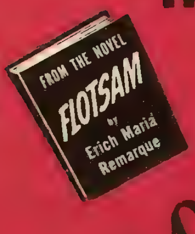
"Truly distinctive . . . a corking set of performances by an outstanding cast." —*National Box Office Digest*

"Excellent...you should see it."—*Liberty Magazine*

David L. Loew · Albert Lewin present

FREDRIC MARCH · MARGARET SULLAVAN · FRANCES DEE

in



"SO ENDS OUR NIGHT"

with Glenn Ford • Anna Sten and Erich von Stroheim

Directed by JOHN CROMWELL • Screen play by Talbot Jennings
From the novel, "Flotsam," by Erich Maria Remarque

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VOL. 49. NO. 23 NEW YORK, U.S.A., MONDAY, FEBRUARY 3, 1941 TEN CENTS

Ascap Decree Move Off, U.S. Will File Suit

Negotiations Fail, But New Talks Seen

Weekend negotiations by Ascap for a Federal consent decree ended without an agreement in Washington with the result that the Government today is expected to file an information in Federal court at Milwaukee against the music licensing society, charging violations of the anti-trust laws.

Negotiations for a settlement of the society's differences with the Government will continue, however, despite the court action, it was stated officially.

Discontinuance of the preliminary negotiations in Washington over the weekend voided an arrangement which had been made to bring the entire available Ascap board of directors of 24 members to Washington today for conferences with Assistant U. S. Attorney General Thurman Arnold and members of his staff.

The object of the meeting was to give the Government representatives, through the music publisher members of the Ascap board, the practical business aspects of the effects of the Government's decree proposals on the business activities of Ascap members. By this means, it had been hoped, the Government might have been influenced to relax some of its demands, decree-wise, which the music society

(Continued on page 2)

Loew Quarter Net Equals $1,936,245

Loew's, Inc., reports net profit of $1,936,245 for the first quarter ended Nov. 21, 1940, of its current fiscal year, after depreciation and taxes and reserve for contingencies. The result compares with net profit of $1,393,456 for the corresponding quarter of the preceding fiscal year, a gain of $542,789.

The parent company's share of operating profit after subsidiaries preferred dividends for the quarter amounted to $3,805,255, compared with $3,017,481 the preceding year. Depreciation and taxes amounted to $1,369,010, compared with $1,124,025, and reserve for contingencies was $500,000 for both years.

The result for the quarter equals $14.16 per share on the preferred stock, compared with $10.19 the preceding year, and to $1.04 per share on the common, compared with 71 cents.

'Little Three' Lose Oklahoma Motion; Schine Suit Halted

United Artists' motion for dismissal of the Government's amended complaint against the "Little Three" and Griffith Amusement Co. was denied by Federal Judge Edgar S. Vaught in U. S. District Court at Oklahoma City following an all-day hearing Friday.

Concurrently, the Government served notice that it would not move for dismissal of the five consenting companies from the Buffalo-Schine Circuit anti-trust suit and the filing of an amended complaint against the "Little Three" there, until such time as that case may come to trial.

Originally, this was scheduled to have been done today, then the move was postponed to Feb. 10, and now is deferred indefinitely. Presumably, the deferment is for the purpose of awaiting the outcome of negotiations between Schine and the Government on a consent decree. Willard S. McKay, attorney for the circuit, reports that the negotiations are "progressing."

In Oklahoma City, Judge Vaught held that the affidavits for dismissal

(Continued on page 2)

Bill on Equal Rights Is Filed in Albany

ALBANY, Feb. 2. — Assemblyman Daniel Burrows on Friday introduced into the New York legislature an "equal accommodations" bill, which provides license revocation in event of failure of a public place to offer equal privileges to all.

Under the bill, verified petitions would get prompt hearings, with a minimum suspension of one month for a first offense and forfeit of license for repeated violation.

NO COMPLAINTS ON BOARDS' FIRST DAY

Allied in Support Of Government Bid To 'Police' Decree

WASHINGTON, Feb. 2.—Allied States Association gives qualified support to the recent Department of Justice bid for exhibitor "cooperation" on enforcement of the consent decree, in a report sent to Allied members yesterday by Abram F. Myers, chairman and general counsel.

In one section of the report Myers points out that the decree is subject to change within the next three years and that "exhibitors have a vital stake in the decisions yet to be made."

He urges them, therefore, to report to the proper authorities all evasions and violations of the decree and whatever hardships may develop under it.

"Exhibitors must build up a record," the report states, "which cannot be ignored by the authorities when the time comes to revamp the decree or for the Government to petition the court for further relief. If a proper record is built up, the exhibitors will come pretty close to getting what they really want and need. If not, they will have lost their last chance for consideration at the hands of the Government."

This is in agreement with the urging of the Department of Justice which asked exhibitors to make use of arbitration, complaints direct to

(Continued on page 4)

Many Local Offices Lack Furniture as Clerks Take Up Duties

No complaints were filed for arbitration in any of the 31 local boards on their official opening day last Saturday, which marked the inauguration of the industry's arbitration system under the Federal consent decree.

American Arbitration Association headquarters here reported that every local board opened on Saturday and clerks were on hand in each. It was pointed out, however, that few, if any, complaints were expected in advance to be filed on Saturday.

The complaint forms, termed a "demand for arbitration," and a "complainant's submission," must be obtained and filled out before a complaint is filed. The filling out of the forms would require such time as would make their return to the clerk the same day unlikely.

Many of the boards which opened Saturday had little more than office space at the time, according to reports from the field. The A.A.A. itself was in the midst of moving to new headquarters in the U. S.. Rubber Bldg., Rockefeller Center. The new offices were still unfurnished Saturday. An exhibitor desiring to file a complaint could have done so at the old A.A.A. offices, however.

A number of key cities reported similar situations at their boards, and while clerks were on duty, offices were incompletely furnished. Exhibitor opinion in many keys, too, was that no one will be in a hurry to file

(Continued on page 4)

No Hasty Decision Is Expected On New Standards for Television

By SAM SHAIN

Washington, Feb. 2.—There will be no hasty determination of television standards by the FCC, it is believed in official circles, despite the fact that the National Television Systems Committee recently by a majority vote decided for no change.

Rather, it is felt that standards must be agreed upon and that the hearings in March will result in some conclusion. It is said to be the opinion of most of the FCC that action by the commission will follow only after there is a full agreement of the NTSC on standards.

That no such full agreement by the NTSC can be expected at present is a matter which Washington experts take for granted because any change of standards at this time will affect many of the existing set manufacturing licenses. Television having been in the developing stages for 20 years, Government experts do not believe that even the FCC can solve it in a few months.

British Producers To Fight Quota Cut

LONDON, Feb. 2.—Labor and producer opposition is expected in the event of an exhibitor attempt to bring about reduction in exhibitors' quota percentages.

It is authoritatively understood that the two groups will fight any suggested reduction, claiming that despite a superficial product shortage as a result of war conditions, the British industry is healthy, with only five per cent of the technicians unemployed. The trade units also point to American productions, in work or planned, and the fact that although only 10 British films were registered from October to December, nine were registered in January alone.

Ascap Decree Move Off, U.S. Will File Suit

(*Continued from page* 1)

regards as impossible from a business standpoint.

The discontinuance of the negotiations followed weekend negotiations in Washington, begun Friday, which were conducted by Louis D. Frohlich and Herman Finkelstein of Ascap counsel, with Government representatives.

The Ascap board of directors, in a special meeting on Saturday, heard from its attorneys a report of the Government's decree demands.

Unofficially, it was reported that the board affirmed the rejection of the demands, but moved to keep the way open for further negotiations, in the hope that the proposals, which it regards as fatal to Ascap, may be modified and an acceptable decree devised.

Develop Television For Armed Forces

PHILADELPHIA, Feb. 2.—The foremost authorities on television are developing the system for the nation's armed forces, it was disclosed at a forum here of the American Institute of Electrical Engineers in convention at the Bellevue-Stratford Hotel. Experimental television broadcasts from airplanes to land stations have been made successfully.

"We do not have to let the imagination run wild," said Dean Joseph W. Barker, of the Columbia University School of Engineering, "to picture the possibility of an airplane equipped with television flying over the battlefields while the troop commander and his general staff gather about the viewing screen at General Headquarters and have instantaneous and accurate information of events in the front line."

Neb. Court Hears Games Test Today

OMAHA, Feb. 2.—The Nebraska State Supreme Court will hear arguments tomorrow on the case brought to test whether the chance games operated by Omaha exhibitors violate the court's injunction declaring one game a lottery.

The test case has been brought by Attorney General Johnson, on Supreme Court orders, against the Omaha Motion Picture Exhibitors Association after the Omaha city solicitor had filed a suggestion of contempt. The original ruling was made about three years ago.

Aid Paralysis Drive

CHICAGO, Feb. 2.—Ten per cent of the proceeds of the dinner-dance held Friday night at the Congress Hotel by the Reel Fellows Club will be donated to the infantile paralysis fund. The club includes local exchange executives and salesmen.

N. H. Union Meets Today

NEW HAVEN, Feb. 2.—Local B-41 of the exchange employes union will hold a regular meeting at the Hotel Garde tomorrow with Samuel Zipkin presiding.

Personal Mention

SAM PINANSKI of M & P Theatres, Boston, was in New York at the weekend for Paramount home office conferences.

•

AUSTIN KEOUGH, Paramount vice-president and general counsel was delayed by illness from leaving for Panama over the weekend. He is scheduled to leave by plane today, returning in about a week.

•

DEL GOODMAN will leave for Toronto tonight to take over his new post as Canadian sales manager for Paramount.

•

WILLIAM C. DEMILLE late last week addressed the New Haven Open Forum at the First Methodist Church on screen freedom.

•

ALDEN LOCKHART, manager of the Regent, St. John, N. B., is the father of a son, named DAVID WINSTON.

•

BERNARD H. MILLS, general sales manager of Equity Film Exchanges, leaves today for a trip upstate, while LOUIS E. RAMM, new sales promotion manager, leaves today for Chicago and other Midwest cities.

•

MILTON J. SALZBURG, president of Pictorial Films, left over the weekend via TWA for a two-week business trip through the Midwest.

•

OTTO BOLLE, 20th Century-Fox manager in South Africa, leaves for Johannesburg today on the *City of New York.*

•

LEONARD ASHEIM, theatre architect of Bridgeport, Conn., has left for a Florida vacation.

•

JOHN DEVINE, advertising manager of Alexander Carpet Co., and LEWIS VAN AIKEN are on a tour of company branches.

•

I. LAWRENCE LESAVOY has left for Florida.

Roxy Sets Dividend

A quarterly dividend of 37½ cents per share on the outstanding preferred stock of Roxy Theatre, Inc., was declared Friday by the board of directors of the company. The dividend is payable March 1 to holders of record on Feb. 15.

Baur Picture to World

World Pictures Corp. has acquired distribution rights in this country to "The Mad Emperor," French historical film starring Harry Baur. It will be released late in February. Maurice Tourneur directed.

'Dictator' in Argentina

The Argentine premiere of "The Great Dictator" was held Thursday at the Mayo Theatre, Parana, according to advices received at the home office.

To Release 'Last Mile'

Astor Pictures will release "The Last Mile," through franchise holders, according to a deal closed with Mohawk Film Corp.

Help!

Pittsburgh, Feb. 2.

***BUSINESS was so heavy at Loew's Penn for "Gone With the Wind" that Manager Marty Burnett sent out a call for emergency ushers to help clear the aisles. At the next break, outgoing crowds were directed to the proper exits by the manager of a neighboring competitor theatre, ushers from two other rival houses, a friendly jeweler, and the theatrical admen from the* Post-Gazette *and* Press.**

Greek Fund Show Broadcast Feb. 8

The 90-minute Greek War Relief Committee show will be broadcast Saturday, Feb. 8 at 11:15 P. M. over NBC-Red and Mutual and will be offered to all independent stations.

Spyros P. Skouras, president of the committee, and Samuel Goldwyn, chairman of the permanent charities committee for the motion picture industry have collaborated in preparing the program. Mort Blumenstock, Warner Eastern advertising and publicity head, is directing the campaign, assisted by Harry Maizlish, of KFWB, Los Angeles, and Al Simon, publicity director of WHN.

Jack Benny and Bob Hope will act as masters of ceremony. Others to be heard on the show include Bette Davis, Spencer Tracy, Paul Muni, Clark Gable, Charles Laughton, Madeleine Carroll, Groucho Marx, the entire cast of the "Hardy Family," Eddie "Rochester" Anderson, Burns and Allen, Fannie Brice, Hanley Stafford, Alice Faye, Carole Lombard, Myrna Loy, Mary Martin, Tony Martin and many others.

Motion of 'Little 3' Denied in Oklahoma

(*Continued from page* 1)

filed by Edward C. Raftery, U. A. counsel, were insufficient and advised the defendants and the Government to prepare for trial of the case, which may begin in May. Time for the defendants to file answers to Government interrogatories was extended from Feb. 1 to March 1, and Raftery agreed to hasten preparations to bring the case to trial as early as possible.

Jones Has Whalen Duties

Charles Reed Jones, advertising and publicity director of Republic, will absorb the department publicity duties formerly handled by David B. Whalen, who resigned last week. No replacement will be made in the department, it was said.

Col. Executives West

Jack Cohn, Columbia vice-president; Abe Schneider, treasurer; Abe Montague, general sales manager, and Joseph A. McConville, foreign manager, left for the studio over the weekend for conferences.

Quigley to Coast

Martin Quigley left over the weekend for a several weeks' visit in Hollywood.

Nazis Threaten Air Players in Norway

WASHINGTON, Feb. 2.—Norwegian radio performers have been threatened with "serious personal reprisals" if they continue their stubborn resistance to the cultural program of the "new order" in Nazi-occupied Norway, it is charged by the Norwegian Government's press representative there.

According to authoritative information, it was said, Gulbrand Lunde, h[illegible] of the ministry of propaganda, has [illegible] formed the Actors' Guild that any member who refuses to accept parts in Nazi-controlled theatrical productions or radio plays will be placed on a blacklist and forever barred from his profession.

When the Nazis took over the Norwegian national broadcasting system, it was explained, a majority of performers refused to go on the air and the quality of programs sank to a low level, with the result that the listening audience showed little if any interest in the Nazi-dictated programs.

Pictures Nominated For Camera Award

HOLLYWOOD, Feb. 2.—Productions have been nominated for the Academy Award for achievement in black-and-white and color cinematography. The black-and-white group includes: "Abe Lincoln in Illinois," "All This and Heaven Too," "Arise My Love," "Boom Town," "Foreign Correspondent," "The Letter," "The Long Voyage Home," "Rebecca," "Spring Parade" and "Waterloo Bridge."

The films nominated for the color photography award are: "Bitter Sweet," "The Blue Bird," "Down Argentine Way," "North West Mounted Police" and "The Thief of Bagdad."

Glass U. A. Western Advertising Contract

HOLLYWOOD, Feb. 2.—George Glass has been appointed Western publicity and advertising contact for United Artists by Monroe Greenthal, director. Glass will resign as vice-president of Russell Birdwell and Associates to take the new post on Feb. 10. Glass formerly was a newspaper man and handled advertising and publicity for Selznick International for three years.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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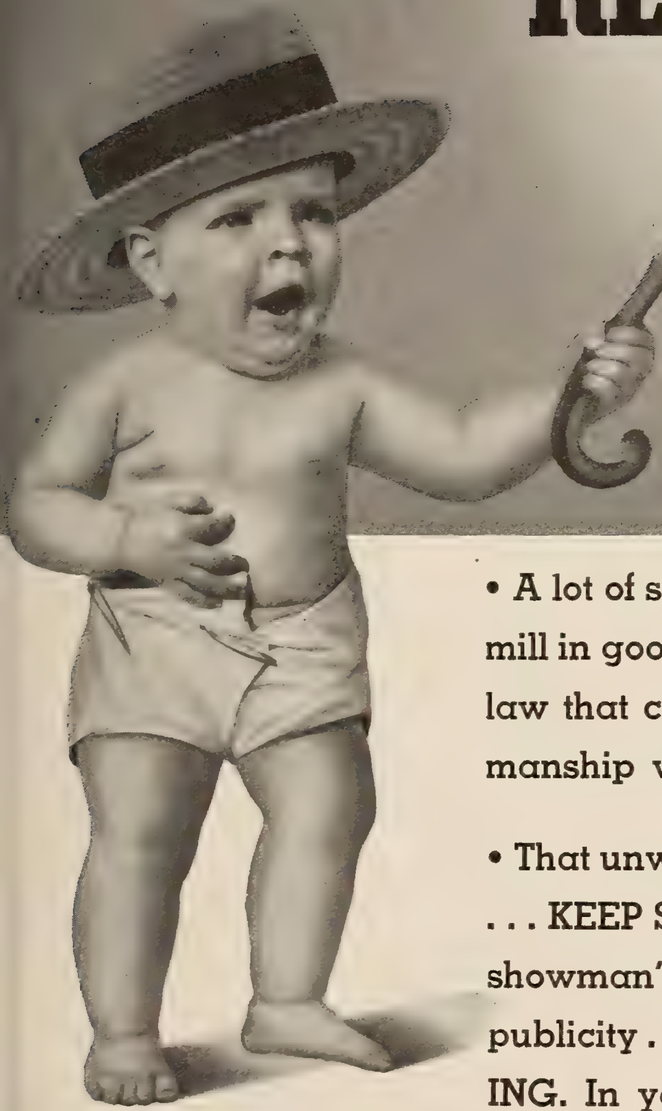
KEEP SELLING!

KEEP SELLING!

KEEP SELLING!



• A lot of successful theatre men who have been through the mill in good times and bad . . . have arrived at this unwritten law that could easily be the keynote of any book on showmanship worthy of the name:

• That unwritten law is this simple statement: KEEP SELLING . . . KEEP SELLING . . . KEEP SELLING. And SELLING in the showman's book means "advertising". Paid advertising . . . publicity . . . exploitation and above all DISPLAY ADVERTISING. In your lobby . . . under your marquee . . . on your . . . screen . . . on your outdoor poster spots.

• That naturally brings us to the Three Best Seat Sellers in this Industry . . . Trailers by NATIONAL SCREEN SERVICE . . . Lobby Displays by NATIONAL SCREEN ACCESSORIES . . . General Accessories by ADVERTISING ACCESSORIES, INC., – – and then write your own book of showmanship!

NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES

ADVERTISING ACCESSORIES

No Complaints Are Filed As Boards Open

(*Continued from page* 1)

a complaint, and that weeks may elapse in some before the first complaint is filed.

Exhibitor resentment also cropped up again in some cities against the non-industry character of board clerks and members of the panels, which will be completed this week.

The two primary forms required for filing complaints are simple, free of excess wordage and technical phraseology. The first, the "demand for arbitration," is to state the nature of the grievance and the relief sought and requires only names and addresses of exhibitors and distributors complained against, of theatres involved in the controversy and of exhibitors and distributors who may be affected by an award.

The second form, the complainant's submission, is the exhibitor's agreement to abide by the arbitrator's award.

'Maisie,' Ray Noble $15,100, Milwaukee

MILWAUKEE, Feb. 2.—The week's best grosser was "Maisie Was a Lady" and Ray Noble's band at Fox's Wisconsin with $15,100. "Kitty Foyle" and "Let's Make Music" drew $11,300 at the Warner.

Estimated takings for the week ending Jan. 30:

"This Thing Called Love" (Col.)
"Ellery Queen—Master Detective" (Col.)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $6,000. (Average, $4,000)

"San Francisco Docks" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: A. B. Marcus' Continental Revue. Gross: $6,800. (Average, $6,500)

"Arizona" (Col.)
"Tall, Dark and Handsome" (20th-Fox)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,800. (Average, $1,500)

"Kitty Foyle" (RKO)
"Let's Make Music" (RKO)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $11,300. (Average, $4,500)

"Maisie Was a Lady" (M-G-M)
WISCONSIN—(3,200) (44c-65c) 7 days. Stage: Ray Noble. Gross: $15,100. (Average, $5,500)

Zanuck to Sun Valley

HOLLYWOOD, Feb. 2.—Darryl F. Zanuck, vice-president in charge of production for 20th Century-Fox, left here over the weekend to spend 10 days at Sun Valley, Idaho.

Club Donates Car To Children's Home

Baltimore, Feb. 2.—The Baltimore Variety Club has presented a large station wagon to the Maryland League of Crippled Children for use in transporting crippled tots to and from Camp Greentop near their Summer home at Thurmont, Md. C. W. Hicks is chief barker of the club.

Hollywood Review

"Western Union"

(*20th Century-Fox*)

Hollywood, Feb. 2

TEEMING with action and color, "Western Union" paints a screen subject of the telegraph's Westward expansion during the Civil War. Robert Young, Randolph Scott, Dean Jagger and Virginia Gilmore provide the leading characterizations, with Young as the Eastern dude who proves his ability to ride and shoot in the best frontier fashion; Scott as the scout who meets death at the hands of his outlaw brother; Jagger as head of Western Union, and Miss Gilmore providing romantic interest as the latter's sister.

Chief support is provided by John Carradine, Slim Summerville, Chill Wills and Barton MacLane, with Young pacing the cast in extracting both humorous and dramatic possibilities from script and setting. The Technicolor photography is of a kind to satisfy all standards, with a fire sequence of unusual power and effectiveness.

Fritz Lang's direction builds the story to a successful climax with the pushing forward of the line, despite preventive efforts by Indians and would-be guerillas of the Confederacy. Production value in terms of setting and background most appropriate to the color camera marks the work of Associate Producer Harry Joe Brown, while laughter and suspense have been ably interjected.

The picture is a natural for the many situations where Western stories are of the essence, and provides an exceptionally able example of that school in the spots where westerns heretofore have not been taken too seriously.

Running time, 93 minutes. "G."* W. S.

"G" denotes general classification.

No Radio Monopoly, Nets Hold in New Briefs to FCC

WASHINGTON, Feb. 2. — The three major networks Friday filed with the Federal Communications Commission supplemental briefs on monopoly in chain broadcasting, for consideration in preparing the final FCC report going to Congress shortly.

NBC, holding the FCC has no power to set regulations controlling chain broadcasting, contended that even if such power existed, there are no practices requiring them. There is plenty of competition in broadcasting, NBC held, and "there is no problem of monopoly because of the competition patent to every listener in the United States."

The present competition will be intensified by national FM service, the NBC brief pointed out.

Similar views were expressed by CBS in its final brief, which said, "The suggested 'reforms' would tend to destroy the American system of broadcasting." It was held that FCC power is limited to physical control of radio transmission, and cannot be extended over the business affairs of stations, and that stations' business practices are beyond FCC jurisdiction except as they affect the licensee's ability to operate in the public interest.

Mutual Broadcasting System held that the FCC has authority to regulate chain broadcasting, but advocated that current regulations be confined to national networks and those dealing with regional chains be postponed for separate consideration. Mutual urged rules forbidding the licensing of stations to national networks in cities with fewer than four full-time stations, permitting only one full-time station in any city, and limiting the number of stations licensed to a national network.

NBC defined the practices and policies it follows on talent management operations. The network asserted its right to manage talent and have performers under contract. As evidence of the fact that the performers do not find this objectionable, NBC cited its agreements with talent labor unions, none of which contains any objection to network talent management. The fact that the American Federation of Musicians will not permit a broadcaster to manage a band, however, is not mentioned in the brief.

'Wind' Is Strong in Baltimore, $22,000

BALTIMORE, Feb. 2.—Heavy snow and bad weather hurt business for two or three days, but a strong start helped keep grosses at good levels. "Gone With the Wind" took $22,000 at the Century.

Estimated takings for the week ending Jan. 30:

"Gone With the Wind" (M-G-M)
CENTURY — (3,000) (40c-55c) 7 days. Gross: $22,000. (Average, $10,000)

"Road Show" (U. A.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $9,500. (Average, $9,000)

"Girl in the News" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $8,000. (Average, $7,000)

"Santa Fe Trail" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $18,500. (Average, $12,000)

"This Thing Called Love" (Col.)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. On stage, variety bill of five acts topped by Henny Youngman. Gross: $18,000. (Average, $14,000)

Allied in Support Of Government Bid To 'Police' Decree

(*Continued from page* 1)

the Department and litigation, if necessary, for the same ends cited by Myers. It is, however, in contrast with the attitude of M.P.T.O.A. which recently called the "stirring up of complaints and grievances" [illegible] "strange sort of cooperation for [illegible]hibitors to offer." The bulletin [illegible]iterated an earlier organization statement that neither the cooperation nor the participation of exhibitors in the consent decree is required.

In another part of the report, however, Myers qualifies his admonition with the following: "Care must be taken that such cooperation (with the Government) is reasonably confined to those matters in which the exhibitors have a discernible interest. It should not extend to the perpetuation of any provisions of the decree to which a majority is opposed."

Myers cautions regional Allied units of the possible invalidity of state legislation as advocated by Northwest Allied recently, designed to set aside the decree's block-of-five sales provision within state boundaries. He also warns exhibitors to organize to combat new tax measures within states and advises them that Congress "definitely is eyeing the movies" in its quest for additional revenue.

Congress Probe Of Radio Looming

WASHINGTON, Feb. 2.—Demand for a Congressional investigation of Broadcasting will be renewed after the emergency legislation of the current session has been disposed of, it was disclosed Friday by Representative Lawrence J. Connery.

Expressing disappointment that the House approved the FCC appropriation without investigation of the commission's activities, Connery declared that both House and Senate have received sufficient evidence to justify inquiry into alleged monopolistic conditions and the illegal activities of those having relations with the commission.

The Congressmen cited the current Ascap-BMI controversy as a "demonstration" of the strangle hold which a few men in New York hold over the broadcasting industry.

Hemisphere Radio Pact Delays Ended

Washington, Feb. 2.—The FCC and State Department announced over the weekend that all technical difficulties have been ironed out in connection with new frequency allocations under the North American Regional Broadcasting Agreement, paving the way for the general reorganization of radio stations when the pact become effective March 29. FCC officials stated that 795 of the 833 standard stations would have to shift frequencies under the pact.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 22 NEW YORK, U. S. A., FRIDAY, JANUARY 31, 1941 TEN CENTS

Decree Won't Change Basis Of Operations

Sidney Kent So Declares In Outlining Views

There will be no overloading of 20th Century-Fox's studio facilities for the purpose of accumulating a backlog of pictures for the market at the start of the 1941-'42 selling season under the provisions of the consent decree. Neither is there to be an expansion of sales staff personnel in anticipation of new conditions, Sidney R. Kent, president, declares in a Hollywood interview published today in *Motion Picture Herald.*

Sidney Kent

Kent concluded 10 days of studio conferences with company executives last weekend and is now on his way here.

Instead of overloading, there is to be instead a continuance of "fluid thinking with respect to all aspects of the coming changes," Kent says, in outlining the company attitude toward formation of a 1941-'42 policy. He adds, "We have been canvassing the probabilities and possibilities fully from every angle, keeping our decisions at a minimum for the present,

(*Continued on page* 4)

Leave Here Today For Miami Opening

A group of Universal executives, New York press and syndicate writers and film trade press representatives will leave today and tomorrow for Miami for a week's round of activities to be climaxed by the premiere of "Back Street" at the Lincoln and Cameo Theatres, Miami Beach, Tuesday night.

Leaving today from Pennsylvania Station will be the following Universal home office executives: Charles D. Prutzman, vice-president and general counsel; Matthew Fox, vice-president, and Samuel Machnovitch, treasurer.

Trade press representatives leaving for Miami by train today are: Sam

(*Continued on page* 4)

Warners Resume Preferred Dividend

Warners' board of directors at a special meeting yesterday resumed payment of dividends on the preferred stock with the declaration of the current dividend of 96¼ cents per share. The last dividend paid on preferred stock was on March 1, 1932. The current dividend will be paid March 1 to stockholders of record at the close of business Feb. 14.

Schools' Recess Boosts Broadway; 'Handsome' Leads

School children, enjoying a few days' recess between semesters, swarmed to Broadway first run attractions, giving their heaviest patronage to houses with stage shows. Snow and freezing weather hit the box-office over the weekend but it picked up on Monday and continued big thereafter.

"Tall, Dark and Handsome" with a stage show rolled up a huge gross of an estimated $55,000 at the Roxy and started its second week yesterday despite the fact that it was originally booked for only one week. The opening of "Western Union" was accordingly delayed until next Thursday.

At the Capitol, "Gone With the Wind" which returned for a popular

(*Continued on page* 4)

FEW ARBITRATION COMPLAINTS SEEN

Callow, Wheeler Capture Quigley Awards for 1940

Everett C. Callow, advertising chief for Warner Theatres in Philadelphia, and J. R. Wheeler, manager of the Balaban & Katz Granada Theatre in South Bend, Ind., were named the winners of the Silver and Bronze Quigley Grand Awards for 1940 in the seventh annual competition conducted by the Managers Round Table of MOTION PICTURE HERALD.

E. C. Callow

The winners were selected on Tuesday of this week by some 50 film executives at the judging in the exploitation competition at the Hotel Astor. Ranking executives in distribution, advertising and circuit operation participated in the judging, and were luncheon guests of Martin Quigley. A-Mike Vogel is chairman of the Round Table.

The winners will be taken to Holly-

(*Continued on page* 4)

31 Local Boards Begin Operating Tomorrow; Panels Ready Soon

Very few exhibitor complaints will be filed for arbitration when the 31 local boards open officially in as many key cities tomorrow, according to expectations of the American Arbitration Association.

The boards will be in condition immediately upon opening to receive and file complaints, however, A.A.A. headquarters stated. Clerks for each of the boards will be on duty early tomorrow and the offices will be functioning full time thereafter.

A.A.A. estimates yesterday were that "about five or six" complaints will be filed by Monday night and "not more than 12" by the end of the boards' first week of operation.

Panels of arbitrators for the boards will be completed and made public next week. The prescribed arbitration procedure under the consent decree requires 17 days between the filing of a complaint and the begininng of hearings. This is the explanation of the incomplete status of the local board panels on the eve of the opening of the boards. The earliest possible hearing of a complaint, requiring the services of arbitrators, could not be held before Feb. 17, even though the complaint was filed within a minute following the opening of the first local board tomorrow morning.

The A.A.A.'s explanation of its low estimate of exhibitor complaints awaiting filing is the decree's limitations on the type of complaint which can be made at this time. Only five "causes of action" are recognized by the decree as subject to arbitration at

(*Continued on page* 4)

Montreal Theatres Alert For Blackout Experiment

MONTREAL, Jan. 30.—The war has come closer than ever to Canadian exhibitors, especially this city, considered the nerve center of the Dominion. The Province of Quebec, giving serious consideration to the matter of protection, has made virtually all arrangements, save the date and hour, for Montreal's first "blackout."

An announcement here by the head of the local Civil Protection Committee makes it positive that Canadian cities will attempt practical experiments in air-raid precaution, including the "blackout," and local exhibitors are on the alert.

Deputy Director of Police Charles Barnes, who also is head of the Protection Committee, has concluded that the time has come to prepare Montreal for protective measures against raids from the air.

Montreal is a city usually ablaze with commercial light, with merchant neon signs and brilliantly illuminated theatre marquees. The power company executives have pointed out that a "blackout" consists not only in pulling a main switch, but in the cooperation of all citizens. Much of the success of the "blackout" depends upon the willingness of users of electric advertising signs to turn off their lights, since much power must be left on for other purposes than lighting.

Local managers of theatres have been careful about even guessing how a "blackout" will affect business.

Whalen Resigns as Republic's Ad Head

David B. Whalen, director of advertising and publicity for Republic, has resigned, effective today. No successor has been named as yet. Whalen will determine his future plans next week.

Whalen joined Republic in January, 1938, handling publicity for the company in New England, with headquarters in Boston. In September, 1938, he was transferred to the home office, where he was successively pressbook editor and exploitation manager. In September, 1939, he was named advertising and publicity director.

Dozen New Plays to Open in February

Approximately a dozen new plays will see the light of day along Broadway during the month of February, with many of them affording Hollywood players their periodical fling behind the footlights.

First of the new offerings is "Tanyard Street" by Louis D'Alton, scheduled to make its initial appearance Feb. 4 at the Little with a cast including Barry Fitzgerald, Margo, Aideen O'Connor, Arthur Shields, Lloyd Gough and Art Smith.

John Beal and Nancy Coleman share the lead in Philip Barry's "Liberty Jones," which opens Feb. 5 at the Shubert, while Helen Twelvetrees and Taylor Holmes have the principal assignments in the Jacques Deval melodrama, "Boudoir," which arrives the following day, Feb. 6. The latter opening is tentatively set for the Golden.

Ina Claire and Philip Merivale will co-star in "The Talley Method," a comedy by S. N. Behrman, which is due about Feb. 15 at Henry Miller's. Al Shean and Sylvia Field are in "Popsy," slated for the Playhouse Feb. 10. Frances Starr, Donald Cook, Dorothy McGuire, Olga Baclanova and John Williams will appear in "Claudia," a comedy which is expected to be presented about the middle of the month.

New plays which will open subsequently, and whose casts have not yet been definitely chosen, include: "Five Alarm Waltz," by Miss L. S. Prumbs; "Song Before Breakfast," by Zoe Akins; "Widows Without Weeds," by Laura Walker, and a comedy by Howard Robert Newman and Beatrice Alliot. Another possible entry later in the month is "Bundles from Britain," a comedy by Arthur Jarrett and Marcel Klauber.

Bernhard Will Be Speaker at Ampa

Joseph Bernhard, general manager of Warner Theatres, will be honor guest and chief speaker at the next regular luncheon meeting of the Ampa next Thursday at the Hotel Edison.

Mort Blumenstock, head of Warner advertising and publicity in the East, will introduce Bernhard, and Leon Bamberger will preside.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

JOSEPH M. SCHENCK, chairman of the board of 20th Century-Fox, is expected here from the Coast today by train.

•

JOSEPH BERNHARD, WILLIAM ORR, GEORGE SKOURAS, WILLIAM F. RODGERS, MAURICE BERGMAN, CHARLES M. REAGAN, MAX DREYFUS, GEORGE WELTNER, SOL BORNSTEIN and HARRY KAUFMAN lunching yesterday at Nick's Hunting Room in the Astor.

•

ARTHUR LEE, WILLIAM ROWLAND, IRVING WORMSER, SAM CITRON, WALTER FUTTER, HENRY JAFFE, JEFFREY BERNERD, HARRY THOMAS, CHARLES PAINE and LEON LEVENTHAL at the Tavern yesterday for lunch.

•

HARRY BUCKLEY, ARTHUR SILVERSTONE, EDWARD PESKAY, EUGENE PICKER and MARVIN SCHENCK lunching yesterday at Lindy's (next to the Rivoli).

•

STANTON GRIFFIS, BARNEY BALABAN, AUSTIN KEOUGH, ADOLPH ZUKOR, ROBERT WEITMAN, ALEC MOSS, CLAIRE BOOTH, OTTO PREMINGER, ARTHR LOEW, DAVID LOEW, WILLIAM FADIMAN, LUTHER ADLER, FRANK PHELPS and CLAYTON BOND having lunch at Sardi's yesterday.

NEIL F. AGNEW, vice-president in charge of distribution for Paramount, is due back at the home office from Toronto today.

•

LOU LEVY has returned to New York from the Coast.

•

WILMA FREEMAN, in charge of promotion at Warners' home office publicity department, is recuperating at home from the effects of a broken foot.

•

HOWARD E. MCALLISTER, projectionist at Warners' Ohio Theatre at Mansfield, before being called to active duty with the Naval Reserve, is serving at radio operator on *Humphreys,* a destroyer.

•

BYRON J. MCELLIGOTT, manager of Minnesota Amusement's three theatres in Aberdeen, S. D., has been elected president of the Aberdeen Civic Association.

•

LEWEN PIZOR, president of the United M.P.T.O. of Eastern Pennsylvania, is ill in a hospital in Philadelphia.

•

CLARENCE EISEMAN, J. J. MILSTEIN, MARTIN MOSKOWITZ, HAL HORNE, JACK GOETZ and ARTHUR GOTTLIEB at Lindy's (51st St.) for lunch yesterday.

'Little 3' Dismissal Hearing on Feb. 17

Federal Judge Henry W. Goddard yesterday set Feb. 17 for hearing of motions to dismiss the Government's amended anti-trust complaint against Universal, United Artists and Columbia in U. S. District court here.

Pending the outcome of the hearing, the time for the three defendants to file answers to the amended complaint has been extended by the court from next Tuesday, when they were originally slated to be filed, to a date to be set by the court later.

The postponement of the hearing was granted by Judge Goddard in line with his earlier statement that postponements would be granted in the New York suit if the Government engaged the defendants simultaneously in its Oklahoma City, Nashville and Buffalo suits. A hearing is scheduled to be held in Federal court at Oklahoma City today on United Artists motion to dismiss the Government's amended complaint there. Edward C. Raftery is arguing the motion. It is expected that the court will reserve decision.

Silver's Father Dies

I. H. Silver, 80, father of Milton Silver, advertising manager of National Screen Service, died yesterday morning at Flushing Hospital, after a brief illness. He is survived by his widow and four daughters in addition to the N.S.S. executive. Funeral services will be held on Sunday.

Options Taken Up

HOLLYWOOD, Jan. 30.—RKO has exercised options on the services of Irving Reis, director, and Kent Taylor, player.

Keough En Route to Meeting in Panama

Austin C. Keough, Paramount vice-president and general counsel, is en route to Panama to attend the company's sales meeting there for its Latin American representatives, Feb. 6 to 8.

John W. Hicks, vice-president and foreign manager, will preside at the meeting and the following managers will attend: Arthur Pratchett, Central American manager; John B. Nathan, Argentina; Benito del Villar, Chile; Peru and Bolivia; S. E. Pierpoint, Brazil; Robert L. Graham, Mexico; J. D. Rapoport, Cuba; Henry Gordon, assistant to Pratchett; Juan Oliver, Uruguay; J. P. Donohue, Puerto Rico; Alvaro Reyes, Colombia; Mrs. T. Andrews, Guatemala; Pedro Germano, Sao Paulo, Brazil; Lazarus Constantine, Trinidad, and Larry O'Toole, assistant manager for Central America.

Hicks is due back in New York Feb. 18.

Mills Names Ramm As Promotion Chief

Bernard H. Mills, general sales manager of Equity Film Exchanges, Inc., has appointed Louis E. Ramm, formerly with the United Artists exploitation staff, as sales promotion manager and advertising director.

Charles Penzer has joined the sales staff of Equity Exchanges, and will assist Mills in the Greater New York territory.

To Honor Leon Levy

PHILADELPHIA, Jan. 30.—Dr. Leon Levy, chief barker of the local Variety Club, will be guest of honor at a formal dinner dance to be held Feb. 8 in the clubrooms at the Bellevue-Stratford Hotel.

Newsreel Parade

DEFENSE and war items and the President receiving a birthday cake are featured in all the reels. Sports likewise are given considerable attention. The contents follow:

MOVIETONE NEWS, No. 42—British ships off Australia. Dublin bombed. Mobile defense guns in England. Fi[illegible] fighters in England. March of D[illegible] Roosevelt receives a birthday [illegible] Churchill reviews guard unit. King Haakon with seamen. Greek Princess at military hospital. Indianapolis factory fills defense orders. Submarine launched in California. Fashions in neck wear. Rowing at Washington University. Bathing beauties in Florida. Miami night water sports.

NEWS OF THE DAY, No. 240—British guns set for invasion. Greece hails victories. Air engine output speeded. Submarine launched. President gets a birthday cake. Hat fashions. Oarsmen in training. Water sports at Miami night club.

PARAMOUNT NEWS, No. 45—Largest aquaplane in Miami. Rowing practice at University of Washington. Fishing on Michigan ice. Roosevelt's birthday cake. Blizzard in California. Metaxas dies. Hearst art on sale. Lend-lease bill debated. "Bundles for Britain" drive here. Defense work investigated by Army here.

RKO PATHE NEWS, No. 45—Roosevelt and a birthday cake. Mine sweepers clear Australian coast. Hearst art for sale. English girls train for war jobs. Texas quadruplets have a birthday. Speed production of air engines. Gold tournament in California. Oarsmen in workouts. Blizzard in California. Giant aquaplane in Miami.

UNIVERSAL NEWSREEL, No. 950—Birthday cake for Roosevelt. Submarine launched. Rush plane engines for Britain. Massachusetts carpenter rewarded for soil conservation. Art treasures for sale. Ice fishing in Michigan. Hat styles. Swimming in Florida. Rowing champs in practice. Biggest aquaplane. Golf tournament.

Coyle Signs With Producers Releasing

HOLLYWOOD, Jan. 30.—John T. Coyle, who produced "The Great Commandment," an Independent production purchased by 20th Century-Fox, today joined Producers Releasing Corp. as a producer. His first picture will be "Federal Fugitives."

O. H. Briggs, P.R.C. president, is scheduled to arrive here Sunday on his first trip since assuming his new post. Briggs will be tendered a "Red Apple Polishing Party" Feb. 7 by employes and associates.

MOTION PICTURE
DAILY
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She found Heaven in the Arms of a Devil!

A SOCK for the Men!
A SHOCK for the Women!

PARAMOUNT'S

"The MAD DOCTOR"

starring

BASIL RATHBONE · ELLEN DREW · JOHN HOWARD

with Barbara Allen (Vera Vague) · Ralph Morgan

Directed by TIM WHELAN
Screen Play by Howard J. Green

Decree Won't Change Basis Of Operations

(*Continued from page* 1)

and have scheduled another series of discussions for the last week in March."

It is possible, says Kent, that under the consent decree provisions there may be some need of a few additional men at the start of the new season, probably abating as the new processes settle into routine.

Kent declares, "We believe there is a rightful place and a genuine need for good little pictures, as well as good big pictures, as our experience with the Charlie Chan series has demonstrated, and we are not going to delude others into thinking we're not going to find some of our big pictures becoming little pictures, whether we like it or not, in point of business value at the box office."

No reduction in double billing as the result of the application of decree terms is forseen by Kent, except as might occur incidentally from increased costs of operation without a proportionate increase in box-office revenue. This latter contingency, according to Kent, may result in companies being compelled to limit their schedules to fewer pictures per season, which in turn, may limit dual bills because of scarcity of product.

The 20th Century-Fox president believes that traveling costs will mount because of the necessity of bringing the product outside exchange centers but there will also be a decentralization of sales responsibility to permit district and branch managers greater leeway in setting terms.

The number of pictures the company will offer during 1941-'42 has not been decided and it may be altered from time to time during the season itself. "We are entering upon new and unknown ground," Kent points out, "and we want, naturally, to maintain a position from which we can move in any direction to our own and the industry's advantage."

Kent says only one deal, a two-picture contract with Howard Hughes, had been made whereby outside production units would contribute films to be released by his company. He declares another such deal may be concluded shortly if negotiations terminate satisfactorily but would not disclose the name of the producer. "There is no point, generally speaking, in acquiring from outside sources anything which we can produce on our own lot," Kent says. "We have our niche and we know what it is and we intend to stay in it."

Kent discounts the theory that a company which enters the period of the consent decree with a backlog of 20 to 30 pictures would be at a competitive advantage. Only a small portion of entertainment films will survive storage without loss of audience value, exploitability, player value, or all three, he explains. Kent adds that the competition among producers for players made maintenance of a normal schedule difficult, and that trebling of its output to build up a backlog without sacrifice of quality was impracticable.

The 20th Century-Fox president agrees that new faces capable of attracting good sized business to the box-office would be a big help to the industry in this situation but Kent also inquires where the new faces are to be found.

Few Arbitration Complaints Seen; Boards Set to Open

(*Continued from page* 1)

this time. They are: forcing of shorts, newsreels, westerns, trailers, serials or foreigns; refusal to license for "some run"; clearance disputes; cancellation on moral, religious or racial grounds, and withholding delivery of prints to give a competing exhibitor a prior playing date not provided in his license.

Of these causes of action, only cancellation and the withholding of prints can be affected by an arbitration award handed down prior to next Sept. 1. Since the decree is not retroactive and cannot disturb existing contracts and their terms, arbitration awards in the other causes would be of no immediate significance.

Clearance and run complaints, arbitrated between now and Sept. 1, when the decree becomes effective, would be of dubious value in the meantime, since, before they became enforceable, the exhibition situation involved might change to a degree which would invalidate the prior award, and require another arbitration proceeding after Sept. 1. Awards involving "forcing" complaints would be of dubious value now and, undoubtedly, in the case of meritorious complaints, could be adjusted equally as well by direct negotiation with the distributor involved.

The A.A.A. expects that no real test of the arbitration machinery will be made until new season selling for decree operations is begun by the five consenting companies next Summer.

CEA Concerned at English Film Drop

LONDON, Jan. 30.—The Cinematograph Exhibitors Association has expressed extreme concern to the British Board of Trade over the marked drop in English production figures, pointing out that for the first quarter of the exhibitors' quota year, ended in December, only 10 British films were registered.

The exhibitors have contended to the Board of Trade that it is impracticable to meet the existing quota percentages under the circumstances, and the suggestion is implied to the Government agency that it should consider an adjustment of quota figures for the coming year.

Rowland to Be Guest

CINCINNATI, Jan. 30.—Richard Rowland, producer of "Cheers for Miss Bishop," will stop here tomorrow en route from New York to Hollywood. While here he will be guest at a press luncheon at the Netherland Plaza and his picture will be trade shown at the Forest Neighborhood Theatre tomorrow afternoon.

20th-Fox to Continue Policy Talks Here, Says Schenck

CHICAGO, Jan. 30.—Determination of future policies will be discussed further in New York, Joseph M. Schenck, 20th Century-Fox chairman of the board, stated today as he passed through here enroute East from the Coast.

Schenck said he believed the consent decree would be beneficial to the industry because the exhibitor will be able "to buy the product he knows will bring business into the theatre." He added that no selection of a theatre or city had been made for the premiere of "Tobacco Road." Schenck was accompanied by John Keller.

Callow, Wheeler Capture Quigley Awards for 1940

(*Continued from page* 1)

wood shortly as guests of Quigley Publications, escorted by Vogel. There they will receive their honors at a luncheon to be attended by production executives, stars and directors, and be variously entertained at the studios and Hollywood functions, as has been done in the past.

The awards competition was established by the Round Table in 1934. Eligible in the 1940 competition for the Grand Awards were the campaigns of those who won places in the Quarterly competition conducted throughout the year by the Round Table.

Callow, Silver Plaque winner, captured a plaque in each of the four quarters of 1940. He has been a contributor to the Round Table for many years, and has been one of its most active members.

Wheeler's record in the annual quarterly competition also was imposing. Prior to his association with B & K, during part of 1940 he was active with Alex Manta's Indiana-Illinois Circuit in Chicago and La-Porte, Ind. He won three plaques and one medal during the course of the year.

During 1940, entries again were judged on the basis of single ideas and promotions, rather than on entire campaigns as was done prior to 1939.

'Parade,' 'Heaven' Big Mexican Draw

MEXICO CITY, Jan. 30.—Two American pictures which are enjoying outstanding business at the box-office here are "Spring Parade" and "All This and Heaven Too." "Spring Parade" played to capacity business at the Cine Palacio Chino, first run, and did even better in three weeks at the Cine Colonial.

A record continuous run is in prospect for "All This and Heaven Too," which is now in its fifth consecutive week at the small Cine Rex, first run house. "Rebecca" held the previous record, of four successive weeks.

Loew's Collection $34,000 in Dimes

The Loew Circuit reports a total of $34,000 collected from patron contributions to the "March of Dimes" fund in the drive on infantile paralysis. All Loew New York houses ran a "thank you" trailer in connection with the theatre drive.

Leave Here Today For Miami Opening

(*Continued from page* 1)

Shain, Don Mersereau, A-Mike Vogel, Pete Harrison, Charles E. Lewis, Maurice Kann. Joining this train in Philadelphia will be Jay Emanuel and Mo Wax. Marion Orford of Universal's publicity department will accompany the group on the train.

Representing the New York press will be: William Boehnel, *World Telegram;* Cecilia Ager, *PM;* Rose Pelswick, *Journal-American;* Eileen Creelman, New York *Sun;* and Kenneth McCaleb, *Sunday Mirror.* Harold W. Cohen of the Pittsburgh *Post-Gazette* and George L. David of the Rochester *Democrat-Chronicle* will join this group.

The following Universal executives and press representatives will fly to Miami tomorrow:

Frank J. A. McCarthy, Eastern sales manager; W. J. Heineman, Western sales manager; Marion Young of N.E.A.; Robert Meusel of United Press; Harold Conrad, Brooklyn *Eagle;* Edgar S. VanOlinda, Albany *Times Union;* C. R. Roseberry, Albany *Knickerbocker News* and Julian Tuthill of the Hartford *Times.* Ruth Morrow of Universal's publicity department will accompany this group.

With the Lincoln Theatre sold out, a week ahead of opening, tickets are now being sold for the Cameo Theatre and the Surf Theatre is being held in readiness as a third house.

Schools' Recess Boosts Broadway

(*Continued from page* 1)

price run, drew an estimated $50,000 for its first week and is held. Total number of paid admissions exceeded those of the first week of the original run, it was reported.

"High Sierra" with Henry Busse's band on the stage, garnered an estimated $38,000 at the Strand and was held over. Still strong in its fifth week at the Music Hall, "The Philadelphia Story" with a stage show attracted an estimated $83,000 and started its sixth week yesterday. At the Paramount, "Virginia" with Glenn Miller's band on the stage grossed an estimated $16,000 for the first two days. "Pride of the Bowery" brought an estimated $6,500 for the week at the Rialto and will be followed this morning by "Saint in Palm Springs."

20th-Fox Signs O'Brien

HOLLYWOOD, Jan. 30.—Pat O'Brien was signed to a contract today calling for two pictures a year by 20th Century-Fox. O'Brien also has a commitment with Columbia calling for three annually.

from JACK L. WARNER

MEMO

Why can't we make a picture about th

WARNERS HAD A GREAT IDEA...

AND NOW IT'S A GREAT MOTION PICTURE

FLIGHT FROM DESTINY

"Enthralling!"
—*Damon Runyon*

Opening soon Radio City Music Hall!
Now booking in selected situations
after 2 months of constant radio,
magazine, newspaper promotion!

Starring

GERALDINE FITZGERALD
of "Dark Victory"

THOMAS MITCHELL
of "Gone With The Wind"

JEFFREY LYNN
of "All This, And Heaven Too"

JAMES STEPHENSON
of "The Letter"

Mona Maris • Jonathan Hale
Directed by VINCENT SHERMAN
Screen Play by Barry Trivers
From a Story by Anthony Berkeley
A Warner Bros.-First National Picture

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 3	This Thing Called Love (C) Wildcat of Tucson (O)	Flight Command (D) 117 *Robert Taylor* *Ruth Hussey*	Rolling Home to Texas (O) *Tex Ritter*	Second Chorus (C) 4014 *Fred Astaire* *Paulette Goddard*		Convoy (D) 161 *Clive Brook* *John Clements*	Hudson's Bay (D) 115 *Paul Muni* *Virginia Field*		Where Did You Get That Girl (D) Lucky Devils (D) 5023	Four Mothers (D) 503 *Lane Sisters* *Jeffrey Lynn*
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) 4015 *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) 510 *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) 556 *H. Bogart* *Ida Lupino*
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) 520 *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*	Ridin' the Cherokee Trail (O) *Tex Ritter*	You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	The Bad Man (O) *Wallace Beery* *L. Barrymore*		The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	Bad Man from Rio (O) *Don "Red" Barry* *V. Carroll*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Trial of Mary Andrews (D) *Robert Young* *Laraine Day*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*	Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Andy Hardy's Private Secretary (C) *Rooney-Stone*	Sign of the Wolf (D)	In Old Colorado (O) *William Boyd* *Russell Hayden*		Citizen Kane (D) 118 *Orson Welles*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	
Mar. 7				The Hard-Boiled Canary (M) *Allan Jones* *S. Foster*	Citadel of Crime (D) *John Wayne* *Frances Dee*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Tobacco Road (D) *C. Grapewin* *Gene Tierney*		Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	
Mar. 14						They Met in Argentina (D) 128 *Maureen O'Hara* *Gene Raymond*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Model Wife (C) *Joan Blondell* *Dick Powell*	
Mar. 21				The Lady Eve (C) *B. Stanwyck*		Footlight Fever (D) 119 *Alan Mowbray*	The Outlaw (O) *Walter Huston* *Jane Russell*			

Every
PARAMOUNT
SHORT
Gives Your Bill
a Build-Up!

January 24
Benchley
Comedy
'WAITING FOR
BABY'

January 24
Magnacolor
'UNUSUAL
OCCUPATIONS
No. 3'

January 31
Fascinating
Journeys
'A VILLAGE
IN INDIA'
(Technicolor)

January 31
Headliner
'GENE KRUPA
and his
Orchestra'

100%
BOX
OFFICE
TESTED!

Paramount

Theatre Changes

Switch Wis. Managers

West Allis, Wis., Jan. 30.—Joe Klauzer is succeeded as manager at Fox's Paradise here by Charles Hacker. Klauzer has been transferred to the circuit's Sherman,

Manages Wisconsin House

Kaukauna, Wis., Jan. 30.—Walter [illegible], projectionist at the Rialto theatre here since its opening, has been transferred to Kiel as manager of the house there. Francis Biselx, former Rialto employe, returns here as projectionist. Both are Eskin houses.

Schines Move Curtis

Syracuse, Jan. 30.—Gene Curtis, formerly at Schine's Paramount here, has been transferred to the Strand, and also will manage the Empire, both houses recently taken over by the Schine circuit. Jack Flex has replaced Curtis at the Strand.

Build in East Hartford

East Hartford, Conn., Jan. 30.—Peter Perakos and Joseph Quittner will build a 1,000-seat house here. The Astor is the only house operating at present.

Buys House in Buffalo

Buffalo, Jan. 30.—Irving Cohen, who owns two theatres in Hornell and one in Corning, N. Y., has purchased the Allendale, West Side community theatre here. Arthur Michaels operated the house for 12 years.

Rosenthal Buys Theatre

Indianapolis, Jan. 30. — William Rosenthal has purchased the Irving here, a de luxe neighborhood house. Charles Doades continues as manager. Rosenthal is former U. A. branch manager in Indianapolis.

Renovate in New Orleans

New Orleans, Jan. 30.—The Ritz Theatre, owned by the Iberville Amusement Co., is being renovated.

Mississippi House Opens

Greenville, Miss., Jan. 30.—A new theatre, operated by Robert O. Sigler and W. A. Prewitt, Jr., opened here recently.

Acquires Two in Columbus

Columbus, O., Jan. 30. — Louis Weithe, who operates the Bond, Westwood and Roselawn, Cincinnati suburbans, the Kentucky, at Latonia, and is building a new house at Louisville, has taken over the Cleve and Beechwold, neighborhood units of the local circuit operated by the late Clarence A. MacDonald.

Opens Missouri House

Kansas City, Jan. 30.—A new theatre, seating 300, has been opened at Memphis, Miss., by Alice Johnson. The house has been named the Memphis.

Managing Atlanta Theatre

Atlanta, Jan. 30.—Jack Hodges, formerly publicity director for the Roxy, but who has been manager of the Techwood Theatre since Lucas and Jenkins purchased the lease on the Roxy last December, has been named manager of the Roxy and Ed Shepard has been moved to the Techwood.

Sees Mexico-Spain Tie As Aid to Films

Mexico City, Jan. 30.—Gabriel Soria, one of the most noted of Mexican directors, has addressed an open letter, in the form of a page newspaper advertisement, to President Manuel Camacho, urging him to resume diplomatic relations with Spain, as a valuable step for Mexico and for its film industry.

Wilmington Picket Ban Is Reversed

Dover, Del., Jan. 30.—The Delaware State Supreme Court here today reversed the decision of Chancellor W. W. Harrington of Chancery court which had enjoined the Motion Picture Projectionists' Protective Union and individuals from picketing the Rialto Theatre, Wilmington independent house.

Pickets were removed from the theatre about two years ago by the Chancellors' decision. The Supreme Court decision today held that a "bona fide labor dispute existed and there was justification for concerted action." Five judges concurred, Chief Justice Daniel J. Layton, Judges Richard S. Rodney, Frank L. Speakman, Charles S. Richards and Charles L. Terry, Jr.

The lower court decision held that the picketing by the union was for improper purpose and intended for boycott.

The point of contention between the theatre and the union was the number of union projectionists to be held on duty.

P.R.C. to Release Historical Shorts

Producers Releasing Corp. has closed contracts for the distribution of a series of eight two-reel subjects on American history, produced for Academic Film Co. by Max and Arthur Alexander, and written and directed by G. A. Durlam. Milton J. Salzburg and Harold Baumstone are associate producers and Charles Henkel is editor.

The subjects include: "Our Constitution," "Our Bill of Rights," "Our Declaration of Independence," "Our Monroe Doctrine," "Our Louisiana Purchase," "Our Missouri Compromise," "Our Annexation of Texas" and "Our Ordinance of 1787."

Omaha Union Elects McIntype President

Omaha, Jan. 30.—R. L. McIntyre of the Orpheum, is president of Local 343, of the I.A.T.S.E., for 1941 and Howard Jackson, Omaha, is business agent, as all officers were reelected at the annual balloting.

Other officers are Alvin Kostlan, Brandeis, first vice-president; Shep Owens, Benson, second vice-president; Glenn Jordan, Muller, financial secretary; Baird Loomis, Brandeis, treasurer; Clyde Cooley, recording secretary.

Circuit Net $110,197

Cleveland Theatres, Inc., has reported net income before Federal income taxes of $110,197 for the year ended Aug. 31, last.

'Liberty' Hits Fast Pace in First Week

Early business results on "Land of Liberty," following the first week of general release for the industry's patriotic and war charity subject, have been well ahead of expectations in virtually all sections of the country, it was reported by M-G-M, which is distributing the picture gratuitously, and the M.P.P.D.A., sponsor of the picture.

The entire M-G-M publicity, advertising and exploitation forces under Howard Dietz, Si Seadler, William Ferguson and Oscar Doob are cooperating on the campaigns for the picture's openings in all sections of the country. They are being assisted by a special exploitation staff sent out by the M.P.P.D.A., consisting of Gabe Yorke, Joseph Shea, Gordon White, Mark Larkin and I. E. Deer. The M.P.P.D.A. also is arranging cooperation with school, church, civic, patriotic, business and industrial organizations to support the picture in each booking locality.

The picture was accorded the unusual honor of being endorsed from the floor of the U. S. Senate, through a citation by Senator Sheridan Downey of California.

Grace M. Fisher, Cumberland, Md., exhibitor, was the first to donate all profits from the run of the picture at her theatre to the war charity fund which the industry will create from distribution receipts from the picture.

Royal in Detroit to Open Finally Today

Detroit, Jan. 30.—The new $350,000 Royal Theatre which failed to open a month ago because of a labor dispute, will be opened for the first time tomorrow.

The dispute, which centered around a union demand that the 2,500-seat theatre employ a stagehand, has been settled, according to Roger M. Kennedy, business agent of the Operators Union and Earl J. Hudson, president of United Detroit Theatres. It was agreed that maintenance work at the Royal, which was found to be within the jurisdiction of the Stagehands Union, would be handled by a member of that union who is regularly employed in the United Detroit Theatre Corp. maintenance department.

Mexico Houses Pay 9% Tax on Grosses

Mexico City, Jan. 30.—Film houses in the Federal District, which includes Mexico City, get off comparatively easily in the new tax on public amusements that President Camacho has ordered, starting Feb. 1. The tax on theatres is nine per cent of their gross receipts. There is no complaint, as yet, from exhibitors.

Theatre proprietors and lessors, however, have complained bitterly to the President against their new taxes, which run from seven to 14 per cent of their gross. Some operators of revue theatres have told the President that if they are obliged to pay these high taxes it will be impossible for them to continue in business.

Metro Buys 'Girl Crazy'

M-G-M has acquired the rights to "Girl Crazy," the George and Ira Gershwin musical comedy.

'Wind' Smash Hit in Boston With $53,000

Boston, Jan. 30.—"Gone With the Wind" was a smash hit here, taking a total of $53,000 at two houses, $30,000 at Loew's Orpheum and $23,000 at Loew's State. "Santa Fe Trail" and "Night at Earl Carroll's" drew $9,500 at the Paramount and $5,500 at the Fenway.

Estimated receipts for the week ending Jan. 22-24:

"Doomed Caravan" (Para.)
"Devil's Pipeline" (Univ.)
"Trail of the Vigilantes" (Univ.)
"Moonlight and Melody"
KEITH BOSTON—(3,200) (25c-35c-40c-55c) "Doomed Caravan" and "Devil's Pipeline" 4 days with vaudeville including Rose Marie, Barr and Estes, Joe Besser and Co.; "Vigilantes" and "Moonlight and Melody" 3 days. Gross: $8,000 (Average $8,000)

"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 3rd week. Gross: $15,000 (Average $16,000)

"Chad Hanna" (20th-Fox)
"She Couldn't Say No" (W.B.)
METROPOLITAN — (4,367) (25c-35c-40c-55c) 7 days. Gross: $12,000 (Average $15,500)

"Santa Fe Trail" (W.B.)
"Night at Earl Carroll's" (Para.)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $9,500 (Average $7,500)

"Santa Fe Trail" (W.B.)
"Night at Earl Carroll's" (Para.)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $5,500 (Average $4,500)

"Here Comes the Navy" (W.B.)
"Four Mothers" (W.B.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $4,300 (Average $4,000)

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,000) (40c-55c) 7 days. Gross: $23,000 (Average $12,000)

"Gone With the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (40c-55c) 7 days. Gross: $30,000 (Average $17,500)

License Suspension Is Asked in Toronto

Toronto, Jan. 30.—Ontario Fire Marshal W. J. Scott today recommended a one-month suspension of the license of the Doric Theatre here, after a hearing on the recent accident in which 30 children in the theatre were overcome by gas.

Scott also recommended a change in the Ontario regulations to require an adult to accompany every child under seven to the theatre, and to require a matron for every 100 children in a theatre. No criminal proceedings were ordered against Sam Lester, owner of the Doric.

AGVA, B. & K. Agree On Closed Shop Pact

Chicago, Jan. 30.—A contract between Balaban & Katz in Chicago and the American Guild of Variety Artists will be signed within a few days, it was disclosed today following a meeting between N. M. Platt, B. & K. production head and district manager, Maurice Leonard, general counsel, and Jack Irving, representing AGVA.

The agreement calls for a closed shop and covers working conditions and salaries.

Ziehm Agent in Phila.

Philadelphia, Jan. 30.—John Schaeffer, independent exchange manager here, is representing Arthur Ziehm in the area.

Honor Birthdays of Presidents on WBNX

WBNX last night started a series of programs commemorating each President of the United States on his birthday. On the anniversary of a President's birth, the hourly station pauses will be punctuated with some memorable utterance and a 15-minute program will also be set aside to tell of the President's life on that day. President Roosevelt, of course, was honored yesterday.

Program to Combat Alien Propaganda

Designed to combat alien propaganda, the Free Company, an organization of authors, performers and radio workers, will present a series of original Sunday afternoon dramas over CBS beginning Feb. 23 at 2 P. M. James Boyd, novelist, is chairman of the group; Robert E. Sherwood is chairman of the writers' division; Burgess Meredith, performers; and W. B. Lewis, CBS vice-president, the radio workers.

Among those who will contribute plays without charge are Marc Connelly, William Saroyan, Maxwell Anderson, Orson Welles, Stephen Vincent Benet, Paul Green, Archibald MacLeish, Sherwood Anderson and George M. Cohan. Norman Corwin and Irving Reis will direct.

Loew Metropolitan Managers Shifted

Promotions and transfers of managers in Loew's Metropolitan Circuit have been made as follows:

Sigmund Schwartz, assistant at the State, will manage the Premier.

Joseph Beck, manager of the Ave. B, to the Canal, replacing Walter Mock, who in turn becomes assistant at the 46th Street Stanley Marks succeeds Beck at the Ave. B.

Joseph Citron, assistant at the Oriental, moves to the 83rd Street, replacing Nathan Slater, who has been transferred to the State.

Harold Zeltner, assistant at the 46th Street, has been shifted to the Oriental.

Sues on Radio Title

Albert E. Kane has filed suit in U. S. District Court against Plough, Inc., for an injunction and $25,000 damages, charging the defendant with unfair competition in the use of the title, "Famous First Facts," in radio broadcasts sponsored by St. Joseph's Aspirin.

Mrs. Robbins Dies

WORCESTER, Mass., Jan. 30.—Mrs. Florence M. Robbins, 62, died here yesterday. She was the wife of Clarence Robbins, manager of the Buzzards Bay Theatre on Cape Cod, and formerly manager of the Strand, Plymouth and Regent Theatres here.

Henabery at Opening

Joseph Henabery, who portrayed Abraham Lincoln in "The Birth of a Nation," will be guest of honor when the original film, with accompanying sound, opens at the Ambassador Monday as a benefit for Bundles for Britain, Inc.

Off the Antenna

CBS's series of "Forecast" programs started to pay dividends yesterday when it was disclosed that "Duffy's Tavern," one of the shows on the series will be sponsored by Magazine Repeating Razor Co. on 55 stations, Saturdays at 8:30 P.M., beginning March 1. Ed Gardner, who directs and plays the leading role, and John Kirby's band will be featured. Albert Spalding, the violinist, proved his ability to handle script as well as his instrument, in the "Battle of Music" and is now heard on the Coca Cola show. "Back Where I Came From," another in the "Forecast" series is heard sustaining three times weekly.

• • •

Niles Trammell, NBC president, yesterday accepted the chairmanship of the Civilian Mobilization drive for the Salvation Army, which seeks to raise $375,000.

• • •

Around the Country: *Frank E. Pellegrin, sales and promotion manager for Central States Broadcasting System, has been named "outstanding young man for 1940" by the Omaha Junior Chamber of Commerce . . . WTAG, Worcester, Mass., received 36,767 mail pieces during 1940, according to Edward E. Hill, station director . . . E. S. Mittendorf, general manager of WIND, Chicago, has been ordered by his physician to take an extended leave. No successor has been named. D. O. Coe, salesman for the past five years, has been promoted to the newly created post of resident manager.*

• • •

Because of the many recent changes, NBC-Blue has issued a new rate card, effective tomorrow. The new card lists 97 regular Blue outlets and 55 supplementaries. Included for the first time are 29 stations added since Sept. 1, 10 in the new Southeastern group, and five in the new Oklahoma group. A separate card listing discounts for the Pacific Coast group will be issued by the Hollywood office.

• • •

Purely Personal: *Julius Colby will interview William Garity, Disney chief engineer, at 11:45 this evening over WMCA . . . William Gargan will be guest on "Campbell Playhouse" over CBS tonight at 9:30 . . . Andrews Sisters will be heard on the "Fitch Bandwagon" over NBC-Red, Sunday, Feb. 9 . . . Edward Hopper, WHN engineer, has been honored by the American Radio Relay League for having received confirmations from 152 countries with his amateur station, W2GT.*

• • •

Program News: Axton-Fisher has added eight stations to the NBC-Blue hookup for "Your Happy Birthday" bringing the total to 82 . . . Junior Americans of the U. S. will sponsor a 15-minute children's quiz show over WNEW Saturdays at 1:15 P.M. beginning tomorrow . . . General Cigar Co. tonight will add two stations to the Mutual hookup for Raymond Gram Swing, bringing the total to 75 . . . The Filmarte Theatre has signed a contract with WHN for spot announcements for "Hatred" . . . The Dixie Hotel has also signed a contract for spot announcements with the same station.

RKO Local Circuit Sets 9 P.M. Feature

John J. O'Connor, vice-president and general manager of RKO Theatres, has extended the plan locally of presenting the main feature at 9 or 9:30 P. M. It is designed to fit the convenience of single feature patrons attending double feature houses.

Following experimentation in a number of houses, and recent extension to a number of others, the plan will be instituted next Tuesday at Proctor's New Rochelle, and on Feb. 12 at Keith's Flushing, the Coliseum, Pelham and Castle Hill. Double bills will be continued all day as usual, with midnight shows on Saturday. Loew's recently instituted the same type of plan.

Testimonial for Felt

PHILADELPHIA, Jan. 30.—A farewell party was held today by the Showmen's Club for Cecil Felt, operator of the Bluebird, as the first exhibitor in the area to be conscripted for military service. The Variety Club tendered him a farewell affair on Tuesday night.

Start Soundies Monday

Arthur Leonard and Dick Hyland on Monday will start production on 16 new "soundies" at the Movietone studios for the Roosevelt-Mills organization. Leonard will direct. Bands signed include Tony Pastor, Gray Gordon, Les Brown and Nana Rodrigo.

Ascap Discusses Decree Proposals

Ascap's board of directors yesterday discussed the Government's indicated proposals for a consent decree settlement of pending and contemplated litigation against the society.

The directorate subsequently instructed Louis D. Frohlich and Herman Finkelstein, Ascap counsel, on its settlement views. The two attorneys left last night for Washington where they will meet today with representatives of the Department of Justice to resume decree negotiations.

Pending the outcome of the Washington negotiations, no important development is expected in the Ascap-radio network controversy.

BMI yesterday claimed a total of 111 music publishing organizations within its fold, and estimated that its catalogue of "popular tunes" has been increased by 60 per cent since Jan. 1.

Simultaneously, Ascap reported that up to yesterday it had received 3,500 commendatory letters as a result of its first broadcast last Saturday.

Ascap served notice yesterday on radio stations that in its opinion three of the leading BMI tunes are infringements of published Ascap songs. The alleged infringing songs are "I Hear a Rhapsody," claimed to infringe on "I Found a Dream;" "I Look At You," on "My Heart Stood Still;" and "All I Desire" on "I Got a Guy."

Composer Rooney

Two excerpts from Mickey Rooney's symphonic composition, "Melodante," will be heard for the first time on Sunday, Feb. 9, at 9 P. M. over CBS during the "Ford Sunday Evening Hour." Wilfred Pelletier will conduct the orchestra.

FCC Approves FM Syracuse Station

WASHINGTON, Jan. 30—The Federal Communications Commission has granted a construction permit to the Central New York Broadcasting Corp., Syracuse, N. Y., for a new FM station to operate on 46,300 kilocycles to cover 6,800 square miles with a population of 600,100, and announced that it would waive rules relating to maximum power rating, to permit stations a maximum power of four times the operating power between 12,500 and 25,000 watts until a 25,000-watt transmitter can be developed and placed on the market.

The commission also announced that because proposed FM service in the Philadelphia and New York areas makes the assignment of adjacent channels desirable, modifications have been granted to permits issued to WCAU Broadcasting Co. in Philadelphia, to operate on 46,900 instead of 46,700 kilocycles, and Columbia Broadcasting System, New York, on 46,700 instead of 48,700 kilocycles.

Applications received by the commission included the requests of Station WICA, Ashtabula, Ohio, for increase of day power from 1,000 to 5,000 watts and extension of time from day to unlimited, and Station KFBC, Cheyenne, Wyo., for change of frequency from 1,420 to 1,210 kilocycles and increase of night power from 100 to 250 watts.

The A. S. Abell Co., holding a construction permit for an FM station on 44,300 kilocycles to cover 15,489 square miles with a population of 3,308,983, with transmitter located at Clarksville, Md., has filed an application for change of location to Baltimore, change of frequency to 46,300 kilocycles.

Quiz RCA Officials In Suit on Feb. 10

Nine officials of RCA Manufacturing Corp. will be examined before trial in the U. S. District Court on Feb. 10 in the infringement suit of RCA Manufacturing against Columbia Recording Corp. and Columbia Phonograph Company

Officials include Frank B. Walker, vice-president; Charles O'Connell, director of music; and Thomas Joyce, vice-president. RCA claims exclusive rights to the sale of "Red Label" records, and charges the defendants with infringement of that right.

William Dalbey Dies

OMAHA, Jan. 30.—William R. Dalbey, 70, former president of Local 70, of the A. F. of M. here, and a musician in most of Omaha's downtown theatres for many years, died at his home after a brief illness.

Alert,
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and
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Industry

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. 49. NO. 24 NEW YORK, U. S. A., TUESDAY, FEBRUARY 4, 1941 TEN CENTS

UA, Columbia Aim at Early Sales Meets

Follow Universal Lead; Kelly in from Coast

Indications are that United Artists and Columbia will match Universal's plans for an early sales convention and a start on new season selling.

Arthur Kelly

Arthur W. Kelly, United Artists' vice-president and distribution head, said on his return from studio conferences yesterday that he would disclose United Artists' convention and new season's production plans within the next 10 days.

Meanwhile, all top executives of Columbia are engaged in new season production conferences at the studio, on the conclusion of which sales convention and selling plans probably will

(*Continued on page 3*)

'Street' Premiere Is Florida Event

By SAM SHAIN

CORAL GABLES, Fla., Feb. 3.—Old-timers say that this sub-tropical playground has never before experienced an event to equal in excitement and interest, at the height of the Winter season, such as this four-day Miami preview given by Universal for the Margaret Sullavan-Charles Boyer film, "Back Street," which will have its world premiere tomorrow night, with simultaneous performances at the Lincoln and the Cameo Theatres.

Many of Universal's guests, 100 or more newspaper reporters and critics,

(*Continued on page 3*)

Reviewed Today

Five features are reviewed in today's issue. Reviews from Hollywood of "Buck Privates," "Secret Evidence" and "You're the One" are on page 4. New York reviews of "Hatred" and "Personal Column" are on page 6.

LeBaron to Produce For Para. Release

Hollywood, Feb. 3.—William LeBaron, Paramount production executive since 1936, will leave that post to produce independently for Paramount release.

When Y. Frank Freeman became vice-president and studio head, LeBaron agreed to remain as managing director two more years in his post. That period has now expired. He will begin his independent production on May 1. Freeman and Henry Ginsberg, general studio manager, will divide LeBaron's duties.

Holdovers Strong Along B'way; 3 New Pictures Are Due

Brisk mid-Winter weather over the weekend had little effect on Broadway box-offices, and holdover attractions, current in most of the houses, were strong. Three new films will arrive this week, "Arizona" at the Music Hall, "Honeymoon for Three" at the Strand, and "Western Union" at the Roxy.

The Paramount and Roxy were outstanding. At the Paramount, "Virginia" with Glenn Miller on the stage drew an estimated $23,000 over Saturday and Sunday, well above average, indicating a gross of about $60,000 for the first week which ends tonight. It holds over. "Tall, Dark and Handsome" with a stage show

(*Continued on page 3*)

Crockett Reelected By Virginia MPTO

WASHINGTON, Feb. 3.—William F. Crockett was reelected president of the M.P.T.O. of Virginia at the organization's annual convention at the Shoreham Hotel here today.

Other officers elected are: Benjamin Pitts, vice-president; Harold Woods, secretary; Sam Bendheim, treasurer. The board of directors includes: C. L. Ambercrombie, D. F. Aleshire, R. H. Bolling, J. C. Caldwell, W. F. Crockett, Charles Deneade, J. Frank Falls, Leonard Gordon, Elmore Heins, Jack Katz, Ellison Loth, H. M. Moody, R. C. Overbey, Hunter Perry, Benjamin Pitts, Charles Roth, Herman Rubin, Frank Stover, Daniel Weinberg.

Also, Sam Bendheim, Frank

(*Continued on page 3*)

ALGER AND PUTNAM ON APPEALS BOARD

Personnel Complete With Veeder as Chairman; No Complaints In

George W. Alger, attorney and former special master in the RKO reorganization proceedings, and Albert W. Putnam, New York lawyer, were appointed members of the industry's national arbitration appeals board by Federal Judge Henry W. Goddard yesterday.

The appointments complete the personnel of the appeal board of three, Judge Goddard having named Van Vechten Veeder, former Federal judge, as chairman of the board last December. The two new appointments were effective as of yesterday and the terms of the appointees, like that of the chairman, are for three years.

The chairman's remuneration is $20,000 annually and that of the other two members is $17,500.

Offices of the board will be established in Rockefeller Center but will not be in the American Arbitration Association quarters. The board will hear all appeals from awards made by the local arbitration tribunals.

Alger is 68 years old and has prac-

(*Continued on page 3*)

Milwaukee Ascap Criminal Suit Seen Started Tomorrow

MILWAUKEE, Feb. 3.—Department of Justice officials here indicated tonight that criminal anti-trust proceedings against Ascap would be filed in Federal district court here on Wednesday.

Meanwhile, Federal Judge F. Ryan Duffy today signed the BMI consent decree which, however, does not become effective until a decree substantially like it has been obtained for Ascap. Decree proposals such as those advanced by Ascap thus far would not fulfill this condition and, if accepted by the Government,

(*Continued on page 3*)

O'ConnorHeadsUnit Of Catholic Charities

John J. O'Connor, vice-president in charge of RKO Theatres operations, has been appointed chairman of the Motion Picture and Allied Industries Committee of the Archbishop's Committee of the Laity for the 1941 Appeal for New York Catholic Charities.

The appointment was made at a special meeting late last week of leaders of trade and industry groups at the residence of Archbishop Francis J. Spellman.

O'Connor is the chairman of one of 45 groups which will solicit special

(*Continued on page 3*)

UA Says Goldwyn Demanded Control

United Artists Corp. yesterday charged Samuel Goldwyn with having made a demand upon the four other United Artists stockholders to vest in him 100 per cent control of the company for a three-year period. The charge was made in an answer filed by United Artists in the U. S. District Court to Goldwyn's suit for cancellation of his distribution contract with the defendant.

According to the answer, on Jan.

(*Continued on page 3*)

RKO Salary Cuts Ended as of Feb. 1

Salary cuts invoked by RKO in September, 1939, as a means of meeting anticipated losses of foreign revenue resulting from the war, have been ended as of Feb. 1, George J. Schaefer, president, has revealed.

The cuts applied to all employes earning $4,500 or more per year and ranged from 10 per cent in the lower brackets to 50 per cent in the highest, on a graduating scale.

Schaefer's statement attributed the rescinding of the pay cuts to improved domestic business which in recent months, he said, has gone a long way toward offsetting the foreign revenue losses. He expressed appreciation for the loyalty of the company's personnel in aiding in overcoming the conditions brought about by the war.

The cuts applied to home office and studio employes, domestic and foreign branches, the theatre company and RKO Pathe News.

Coast Flashes

Hollywood, Feb. 3

Screen Cartoonists Local 852, of the Painters Brotherhood, filed charges of unfair labor practices against Walt Disney Productions today. The union charged fostering of a "company union," and coercion. Aubrey Blair, A.F.L. organizer, said all theatres showing Disney product would be placed on the "unfair" list unless the matter is settled shortly.

•

The trial of William Bioff, former I.A.T.S.E. leader accused of evasion of income taxes was set today for June 24 before Federal Judge Paul J. McCormick.

•

The annual meeting of the Association of M. P. Producers was postponed indefinitely today due to the illness of Y. Frank Freeman, president.

•

Sam Wood was signed by Warners today to direct "King's Row."

•

Bette Davis' next film at Warners was set today as "The Widow of Devil's Island" by Nicol Smith.

•

Jack Cohn, Columbia vice-president, and Abe Schneider, treasurer, arrived over the weekend for studio conferences.

•

A smoldering jusisdictional dispute over about 150 men working in sound departments today threatened to break out into open warfare between the I.A.T.S.E. and the International Brotherhood of Electricians. The I.A. executive board has announced the widening of Sound Technicians Local 695 charter to include the men who are now members of the I.B.E.W.

However, at Local 40, I.B.E.W., it was said that the two international presidents had conferred about the matter at the recent A.F.L. convention and had agreed to let matters stand.

Pastors Protest on Films Glorifying War

COLUMBUS, Feb. 3.—The Ohio Pastors Association in convention here went on record as reproving the picture industry for 'the notable increase in those pictures which glorify war and leave the implication that military methods can best overcome fascism and other pseudo philosophies which bedevil the world."

The association also advocated more efficient use of radio by religious forces, a more intelligent criticism of current programs, and the inauguration of a weekly Sunday radio program to be known as "The Ohio Sunday School of the Air."

Mrs. Skouras Aids Funds

Mrs. Spyros P. Skouras, wife of the national chairman of the Greek War Relief Association, has turned over to the organization a check for $5,600, representing pledges made at a Christmas meeting at the Skouras home.

M-G-M Transfers Two

ST. LOUIS, Feb. 3.—Claude Morris, M-G-M field exploitation chief here, has changed places with Irving Waterstreet, who held the same job in Kansas City.

Personal Mention

GEORGE J. SCHAEFER, RKO president, and NED E. DEPINET, vice-president, are scheduled to leave for the Coast at the end of the week.

•

HARRY L. GOLD, United Artists Eastern sales manager, is in Dallas for a business visit.

•

MARTIN HIRSCH, operator of the Century, Philadelphia, an army reserve officer, leaves this week for active service in Washington.

•

EDGAR MOSS, 20th Century-Fox district manager in Philadelphia, observed his 16th wedding anniversary last week.

•

JOHN TURNER, assistant booker of the Warner theatres in Philadelphia, is ill with the flu.

•

WILLIAM ORR, RUSSELL HOLMAN, SAM RINZLER, MAX DREYFUS, CHARLES CASANAVE, DAVID LOEW and GEORGE SKOURAS at Nick's Hunting Room in the Astor for lunch yesterday.

•

COLVIN BROWN, PAUL LAZARUS, JR., JAMES CRON, RAY GALLAGHER, PAT SCOLLARD, MILTON SILVER, HORTENSE SHORR, PAUL LAZARUS and DOUGLAS ROTHACKER lunching yesterday at the Tavern.

•

LEONARD GOLDENSON, AUSTIN KEOUGH, BARNEY BALABAN, LEON NETTER, ARTHUR MAYER, CLAYTON BOND, FRANK PHELPS, HARRY THOMAS, TOBY GRUEN, ARTHUR KRIM, ARTHUR LOEW, MORT SPRING, DAVE BLUM, SIDNEY PHILLIPS, GUY BOLTON, JOHN GOLDEN and ALEXANDER INCE at Sardi's yesterday for lunch.

WILL H. HAYS, recovered from his recent attack of influenza, left for the Coast last night, to be gone about two weeks.

•

W. A. SCULLY, Universal general sales manager, will return from an up-State business trip today.

•

GABRIEL PASCAL British producer, arrived from Europe yesterday. He plans to leave for the Coast in about 10 days.

•

MORRIS COHN, Columbia salesman in Albany, has joined an anti-tank regiment now in training at Ft. McClellan, Ala.

•

ALBERT LEWIN, United Artists producer, will lecture on the problems and technique of modern motion pictures at the Yale Drama School tomorrow.

•

LEE ALDERMAN, contract clerk at the Warner exchange in New Haven, is recuperating at Grace Hospital, that city, after an operation.

•

CHARLOTTE MCGUIGAN, secretary to HARRY F. SHAW, Loew-Poli division manager in New Haven, is visiting her sister in Miami.

•

FRED WARNER, booth operator at the Paramount, New Haven, has left for a Florida vacation.

•

CLARENCE EISEMAN, DAVID GRIESDORF, JOSEPH MOSKOWITZ and J. J. MILSTEIN having lunch at Lindy's (51st St.) yesterday.

•

RUBE JACKTER, SAM TULPAN and LOU WEINBERG at Lindy's (next to the Rivoli) yesterday for lunch.

16 New Pictures Are Approved by Legion

Sixteen of the 18 new films reviewed by the National Legion of Decency last week were classified as unobjectionable, eleven for general patronage and five for adults. The remaining two were classed as objectionable in part. The pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Arkansas Judge," "Buck Privates," "Here Is Ireland," "Margie," "Meet the Chump," "Pride of the Bowery," "Ride Kelly Ride," "Ridin' on a Rainbow," "Roadshow," "They Met on Skis," "You're Out of Luck." Class A-2, Unobjectionable for Adults—"Blonde Inspiration," "Caught in the Act," "Cheers for Miss Bishop," "Let George Do It," "Secret Evidence." Class B, Objectionable in Part—"High Sierra," "So Ends Our Night."

Rugar Reelected by Intermountain Unit

SALT LAKE CITY, Feb. 3.—Intermountain Theatres Association, with headquarters here, has reelected John Rugar, Park City, as president.

Other officers named were: George Smith, Magna, Utah, vice-president; Beverly S. Clendenin, Salt Lake City, secretary, treasurer and general counsel, and the following directors: Rugar, Smith, J. J. Gillette, I. H. Harris, E. H. Steele, Paul DeMordaunt, Walter Hull.

'Little Three' Seek Crescent Dismissal

NASHVILLE, Feb. 3.—Motion for summary judgment and dismissal of the Government's amended anti-trust suit complaint against Crescent Amusement Co., Columbia, Universal and United Artists were filed in Federal court here today by Schwartz & Frohlich, Columbia counsel. A hearing date for late this month is to be agreed upon by counsel in the near future.

Defendants' answers to Government interrogatories in the case were to have been filed this weekend, but now will not become due until 10 days after the motion to dismiss has been decided.

RKO Meet on Sales Drive Here Today

A meeting will be held at the local RKO exchange today in connection with the Ned E. Depinet sales drive. Robert Wolff, exchange manager, will preside, with A. W. Smith, Jr., sales manager; Harry Michalson, short subject sales manager; Robert Mochrie, Eastern division sales manager; Leo Devaney, drive captain, and Harry Gittleson, drive publication editor, attending.

Devaney and Gittleson have completed a tour of the exchanges in this country, and will go on to Toronto and Montreal. The drive started on Jan. 25.

Directors of RKO See 'Citizen Kane'

"Citizen Kane," Orson Welles' first production, was screened for the RKO board of directors at their weekend meeting, providing one of the few instances of a screening being made a part of the regular order of business at a major company board meeting.

RKO is proceeding with its advertising campaign and sales plans for the picture, which has brought about a ban by Hearst publications on publicity on the film. An earlier ban on all RKO publicity has been lifted.

Copyright Violation Indictments Drawn

Indictments charging violations of the copyright law and conspiracy in the renting of illegally "duped" films have been obtained here by the office of U. S. Attorney John T. Cahill against Louis Colasuono and Antonio Cardillo, operating the Colson Motion Picture Service, and Sol Joffe, head of Movielab Film Labs, Inc., all of New York.

The cases are the first criminal actions of their kind to be instituted here. They were prepared with the aid of Jack Levin, Edward Sargoy and Harold Groves of the Copyright Protection Bureau. The indictments charge the defendants with having illegally obtained prints of "Ben Hur," "The Littlest Rebel," "A Connecticut Yankee," and "Dinky"; reducing them to 16 mm. prints and renting them to churches, schools and institutions.

Penalties for the violations charged range from one to two years' imprisonment and fines of from $100 to $10,000.

Honor Sweigert, Smith

PHILADELPHIA, Feb. 3.—A testimonial dinner will be tendered Earle W. Sweigert and Ulrik F. Smith by the local industry on Feb. 21 at the Warwick Hotel. Sweigert was made district manager for Paramount in the Philadelphia, Washington and Pittsburgh areas and Smith, formerly sales manager, succeeds him as branch manager of the Philadelphia exchange.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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UA, Columbia Aim at Early Sales Meets

(Continued from page 1)

be set. Universal, however, which will discuss new season's product and selling plans at a national meeting of [illegible] office and studio executives and district and branch managers in Chicago next weekend, will be the first into the field with a new season lineup. The three companies are not parties to the consent decree and need not sell in blocks of five.

Kelly also intimated the possibility of changes being made in United Artists' selling policy for next season, but said no statement concerning this would be made before Feb. 12. He said that a successor to L. J. Schlaifer, who resigned as field sales representative for the company recently, would be named immediately, and a successor to Hugh Owen, former district manager at Dallas, who recently joined Paramount in the same capacity, would be chosen this week.

The United Artists distribution chief was enthusiastic over the company's forthcoming product, which was screened for him while he was on the Coast. He singled out for mention Alexander Korda's "That Hamilton Woman;" "That Uncertain Feeling," from Ernst Lubitsch; James Roosevelt's "Pot o' Gold," "Topper Returns" and "So Ends Our Night."

The company will also have for early release "New Wine," now in production; "Major Barbara," a print of which was brought to New York yesterday from London by Gabriel Pascal, producer. "The Great Dictator," he said, will be generally released March 14, although a first booking has been set on general release terms for Miami late this month.

Chaplin to Coast to Start New U. A. Film

CHICAGO, Feb. 3.—Charles Chaplin is scheduled to return to Hollywood this week to begin work on a new production for United Artists' release next season, Arthur W. Kelly, vice-president in charge of distribution, said he had been advised prior to his departure from Hollywood.

Kelly, en route to New York, said that the company also expected one or two pictures from David O. Selznick for new season release.

O'Connor Heads Unit Of Catholic Charities

(Continued from page 1)

gifts from individuals in connection with the appeal for more than 200 interdependent institutions and agencies of Catholic charities. Each chairman will select his own committee.

The Archbishop's Committee, headed by Alfred E. Smith as general chairman, and John A. Coleman as executive chairman, will begin solicitation this month and conclude before Laetare Sunday, March 23.

Pierce Joins M-G-M

HOLLYWOOD, Feb. 3. — William Pierce, Jr., has joined the M-G-M publicity department at the studio.

Milwaukee Ascap Criminal Suit Seen Started Tomorrow

(Continued from page 1)

would mean that the BMI decree would not become operative.

The Department was represented as determined to go through with its prosecution, following failure of the music society to offer consent decree proposals meeting its demands.

It was revealed here that the Friday conference between Department officials and Ascap counsel ended with the two sides far apart. The Department of Justice, it was said, insisted upon immediate acceptance of all of its demands, not only for the reforms contemplated in the BMI decree but also for reorganization of the Society's management and internal policies. Ascap representatives declared they could not accept those demands, it was said.

Way Is Open, Ascap Officials Say Here

Ascap officials here asserted yesterday that the way was being kept open for further negotiations with the Government but that no further meetings with Department of Justice officials have been scheduled yet.

It was stated that the anticipated Government action against the society in Milwaukee, which had been expected yesterday, will not prevent further settlement negotiations. A decree, it was pointed out, might be worked out subsequent to the filing of the action equally as well as prior to its filing.

Supreme Court Grants Petition of Ascap

WASHINGTON, Feb. 3.—The U. S. Supreme Court today granted Ascap's petition for the filing of a complete record for the appeal of the State of Nebraska from the decision of a three-judge Federal statutory court holding Nebraska's anti-Ascap law unconstitutional.

The state had sought to introduce its own condensed record of the hearings on the case before the three-judge court for the Supreme Court appeal but was opposed by Ascap, represented by Louis D. Frohlich and Herman Finkelstein, New York counsel for the society.

'Street' Premiere Is Florida Event

(Continued from page 1)

brought from every part of the country, have expressed similar sentiments.

Both from the point of uniqueness and the excellent manner in which the celebration is being carried out under the direction of high Universal officials, the affair has been described as one of the best.

Today, the celebration neared its climax with a party at the Miami-Biltmore Hotel for the visiting scribes, at which Deanna Durbin was guest of honor. The young Universal star arrived this morning to attend the premiere.

Tomorrow night, the newspaper boys and girls will mingle with society and show business celebrities at the "Back Street" opening.

Maryland M.P.T.O. Donates Ambulance

Baltimore, Feb. 3.—Answering an appeal for funds to supply outlying areas of England with ambulances, the M.P.T.O. of Maryland has voted to give an outright donation of the full amount necessary to build one. The ambulance will bear the name of Governor Herbert R. O'Conor, chief executive of Maryland.

UA Says Goldwyn Demanded Control

(Continued from page 1)

2, 1939, at an adjourned annual meeting of stockholders held in Goldwyn's office, Goldwyn insisted that the Pickford Corp., Alexander Korda, the Elton Corp., and Charles Chaplin execute a voting trust agreement for three years, which would have given Goldwyn all voting power and 100 per cent right to elect directors with him in complete management of the company. It is claimed that Goldwyn threatened he would vote against all measures of the board and would take further steps to secure voting control. The answer states that after the refusal of the four other stockholders to comply, Goldwyn "harassed and annoyed the management and failed and refused to perform existing agreements."

United Artists also contends that Goldwyn released to the press "false, malicious and misleading statements concerning the defendant and those associated with the defendant." It is charged that Goldwyn himself violated his agreement with United Artists by negotiating with Paramount and Warners to distribute his films. The plaintiff has forced the defendant "to expend vast sums of money defending various legal actions," the answer asserts.

A second defense raised by the answer claims that Goldwyn is not entitled to the producer's sum of $54,559, which he is suing for, because Goldwyn allegedly refused to accept resolutions of the board of directors which governed the payment of these sums. United Artists states that it is willing to pay producer's sums if the conditions of payment are accepted by Goldwyn. The answer also generally denies the charges of the complaint.

Crockett Reelected By Virginia MPTO

(Continued from page 1)

O'Brien, Charles Somma, Allen Sparrow, Morton Thalhimer, Harold Wood, Sidney Bowden, Sydney Gates, Jeffrey Hofheimer, Robert Levine, William Wilder, Carter Barron, Julian Brylawski, Nat Glasser, A. E. Lichtman.

Ed Kuykendall, president of the M.P.T.O.A., and Col. Robert Barton, counsel, explained the operation of the consent decree to the meeting. The organization's Summer convention will be held some time in June at Old Point, Va., it was decided.

Alger, Putnam Are Named to Appeal Board

(Continued from page 1)

ticed law in New York since 1895. He is a member of the law firm of Alger, Peck, Andrew & Rohlfs. He drafted the present New York employers' liability act and many amendments to labor and child labor laws. He was a member of the Moreland Act commission to investigate state prison and board of parole operations, and drafted the present state parole law. He was impartial chairman of the cloak and suit industry in New York from 1931-'35, having jurisdiction over disputes in that industry. He was a Moreland commissioner for the investigation of the state superintendent of insurance in connection with defaulted mortgage guarantees in 1933. He was special master in the RKO reorganization proceedings from 1937 to 1940.

Putnam is 63 years old and a member of the law firm of Winthrop, Stimson, Putnam & Roberts, and has practiced law in New York since 1900. He is a former Army officer, trustee of Columbia University, officer of several financial companies, treasurer of New York Law Institute and member of numerous clubs.

The industry's 31 local boards ended their second day of operation yesterday without a single complaint having been filed. A.A.A. headquarters reported that 15 to 18 applications had been received at the local board here for complaint forms. However, some of these, it was ascertained, were for the files of industry organizations.

Holdovers Strong Draw Along B'way

(Continued from page 1)

brought big business to the Roxy Thursday through Sunday, estimated at $36,000. Because of the booking schedule, the film will be replaced on Friday after a two-week run by "Western Union."

"Philadelphia Story," now in its sixth week at the Music Hall, finally bows out Wednesday night making way for "Arizona," the following day. It gave the theatre about $54,000 Thursday through Sunday.

"High Sierra" checks out of the Strand Thursday night after two weeks with Henry Busse and Quentin Reynolds on the stage and will be succeeded on Friday by "Honeymoon for Three" and Ray Noble. It grossed about $21,000 Friday, Saturday and Sunday. "Kitty Foyle" is expected to finish its fourth week at the Rivoli with an estimated $20,000 and will hold over. Business for the fifth week of "Night Train" at the Globe is estimated at $8,000 and the film is also a holdover.

On schedule to follow "Arizona" at the Music Hall are: "This Thing Called Love," "Mr. and Mrs. Smith," "So Ends Our Night," "Cheers for Miss Bishop," "Major Barbara," "That Uncertain Feeling," "Adam Had Four Sons," "Penny Serenade" and "Tom, Dick and Harry."

'Hudson's' Is Seattle's Best, Takes $7,500

SEATTLE, Feb. 3.—"Hudson's Bay" and "The Saint in Palm Springs," and March of Time for good measure took $7,500 at the Paramount. A Bowes unit at the Palomar helped "Friendly Neighbors" to $5,700. The weather was rainy.

Estimated takings for the week ending Jan. 30:

"Second Chorus" (Para.)
"Night Train" (20th-Fox)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $3,200. (Average, $4,000)
"The Philadelphia Story" (M-G-M)
"Michael Shayne, Private Detective" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $6,600. (Average, $7,000)
"Ellery Queen, Master Detective" (Col.)
"Girls Under 21" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. Gross: $4,100. (Average, $5,000)
"Love Thy Neighbor" (Para.)
"Jennie" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. 3rd week. Gross: $3,400. (Average $4,000)
"Honeymoon for Three" (W. B.)
"The Texas Rangers Ride Again" (Para.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,100. (Average, $6,000)
"Friendly Neighbors" (Rep.)
PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. Major Bowes' Unit on stage. Gross: $5,700. (Average, $5,000)
"Hudson's Bay" (20th-Fox)
"The Saint in Palm Springs" (20th-Fox)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $7,500. (Average, $6,000)

$19,000 for 'Wind' Providence High

PROVIDENCE, Feb. 3.—"Gone With the Wind" at Loew's State at popular prices piled up $19,000 despite the snowy weekend, which influenced all box-offices.

Estimated takings for the week ending Jan. 29-30:

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 4th week. Gross: $5,600. (Average, $6,000)
"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-55c) 7 days. Gross: $19,000. (Average, $11,000)
"High Sierra" (W. B.)
"The Case of the Black Parrot" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,500. (Average, $7,000)
"This Thing Called Love" (Col.)
"Ellery Queen" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $8,100. (Average, $6,000)
"Caught in the Act" (Producers)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Sammy Kaye and orchestra; The Three Kadets; The Nonchalants; Chriss Cross, and The Statler Twins. Gross: $6,000. (Average, $5,500)
"Ridin' on a Rainbow" (Rep.)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with Donald, Patsy and John O'Connor; Wally Ward & Mitzi Milford; John Gallus; The Five Queens, and the Mayfair Trio. Gross: $5,500. (Average, $5,000)
"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $3,000)
"Dr. Kildare's Crisis" (M-G-M) (3 days)
"Jennie" (20th-Fox) (3 days)
"East of the River" (W. B.) (4 days)
"Night at Earl Carroll's" (Para.) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $2,000)

Increase KAO Capital

ALBANY, Feb. 3.—A $49,000 increase in capital stock has been filed for Keith-Albee-Orpheum Corp. by Louis Joffe, attorney for the company, with Michael F. Walsh, Secretary of State.

Hollywood Reviews

"Buck Privates"

(Universal)

Hollywood, Feb. 3

FIRST doughboy comedy to reach the screen since the rigors of military training became again a factor in the experience of young Americans, this "all out" burlesquing of life in the army camps kept its Hollywood preview audience in stitches from "reveille" to "retreat."

Topping a large cast and running up a virtually unbroken record of bull's-eyes in the laugh department are Bud Abbott and Lou Costello, radio comedians whose first film venture gave only faint promise of the success they achieve in this one. Memory has to go back to Wallace Beery and Raymond Hatton in "Behind the Front," comedy classic of that other war, for a parallel to their performance.

Other talent includes the Andrews Sisters, lately in the news columns by grace of the Harvard undergraduates' whimsies, Lee Bowman and Alan Curtis as romantic leads, Jane Frazeem, Nat Pendleton, Samuel S. Hinds, Harry Strang, Nella Walker, Leonard Elliott, Shemp Howard and many more.

Six song numbers are performed in the course of the diversion, in various combinations by various people, all of them appropriate.

Arthur Lubin directed, with Alex Gottlieb as associate producer, Jack Otterson supplying art direction.

Timely as a bugle call and sharp as a drill sergeant's whistle, the picture is in the groove of today's interests.

Running time, 82 minutes. "G".* ROSCOE WILLIAMS

"Secret Evidence"

(Producers Releasing Corporation)

Hollywood, Feb. 3

THIS is a tight little melodrama, revolving around the shooting of an ex-convict, approached from an unusual angle and handled in a way to extract full value from all its situations. It is of the variety of crime mysteries which does not keep the audience in doubt as to who did the shooting but keeps it fretting lest the truth is not going to be discovered by the investigators on the screen in time to save the suspect accused by circumstantial evidence.

Marjorie Reynolds is the girl in the case, secretary to and sweetheart of Charles Quigley, seen as the prosecutor assigned to convict her brother, Howard Masters, of shooting the ex-convict, Ward McTaggart. The latter doesn't die but, being in love with Miss Reynolds himself, declines to tell the truth and clear Masters. The courtroom scene in which the prosecutor tricks the ex-convict into clearing up the mystery is the highpoint and end of the film.

Produced by E. B. Derr and directed by William Nigh, the film presents a story of today which holds interest steadily from start to finish

Running time, 63 minutes. "G."* ROSCOE WILLIAMS

"You're the One"

(Paramount)

Hollywood, Feb. 3

WITH the singing of "Oh Johnny" on the radio some while back Bonnie Baker achieved a hold on popularity which, it is plausible to expect, will have the effect of bringing many persons to the theatre to see her in this picture, wherein she sings this and other songs with Orrin Tucker's band.

In addition to Miss Baker and Tucker, the picture offers Edward Everett Horton, Albert Dekker, Lillian Cornell, Jerry Colona (of the Bob Hope radio program) and Teddy Hart, among others, as participants in a comedy which has to do with radio, health resorts, bands and related subjects.

The picture, in which several musical numbers are introduced between stretches of dialogue and action reminiscent of vaudeville, was directed by Ralph Murphy. It was produced by Gene Markey on a one-picture deal with Paramount.

Running time, 81 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

Hold Rites for West

PHILADELPHIA, Feb. 3.—Funeral services were held Saturday for J. West Jones, orchestra leader at Fay's, who died last Wednesday at the age of 52 of a heart attack. For the past 16 years, he was also musical director for the vaudeville shows at Steel Pier, Atlantic City. His widow and a son survive.

Lloyd Leaves Metro

PHILADELPHIA, Feb. 3. — Richard Lloyd, Metro salesman covering Eastern Pennsylvania and Southern New Jersey, has resigned. He leaves the industry. Lou Formato, former Warner booker, joins Metro this week and is expected to fill Lloyd's vacancy at a later date. Ted Minsky was named to Formato's place at Warners.

'Tanyard Street' Will Open Tonight

"Tanyard Street," play by Louis D'Alton, opens at the Little Theatre tonight with Barry Fitzgerard, Margo and Arthur Shields heading the cast. Jack Kirkland produced the play.

'Miss Bishop' Los Angeles' Best, $5,600

LOS ANGELES, Feb. 3.—"Cheers for Miss Bishop" took a comparatively strong $5,600 at the 4 Star in the second week. "Trail of the Vigilantes" and "The Invisible Woman" drew $9,000 at the Hillstreet and the same figure at the Pantages.

Estimated takings for the week ending Jan. 29:

"Flight Command" (M-G-M)
"Michael Shayne, Private Detective" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $10,500. (Average, $12,500)
"Cheers for Miss Bishop" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $5,600. (Average, $3,250)
"Trail of the Vigilantes" (Univ.)
"The Invisible Woman" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average, $6,500)
"Flight Command" (M-G-M)
"Michael Shayne, Private Detective" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $15,000. (Average, $14,000)
"Trail of the Vigilantes" (Univ.)
"The Invisible Woman" (Univ.)
PANTAGES—(3,000) (33-44c-55c-75) 7 days. Gross: $9,000. (Average, $7,000)
"Victory" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Russ Morgan and His Ochestra and Fanchonettes. Gross: $13,000. (Average, $18,000)
"High Sierra" (W. B.)
"She Couldn't Say No" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $13,500. (Average, $14,000)
"High Sierra" (W. B.)
"She Couldn't Say No" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $14,200. (Average, $12,000)

'Story' at $11,000 Big in Minneapolis

MINNEAPOLIS, Feb. 3. — "Philadelphia Story" did a big $11,000 at the State and "Behind the News," plus a Sally Rand stage show, drew $12,000 at the Minnesota.

Estimated takings for the week ending Jan. 31:

"Philadelphia Story" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $11,000. (Average, $6,000)
"Four Mothers" (W. B.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. With Simone Simon, Lorraine & Rognan, Bobby May, Isabel Jewell on stage. Gross: $9,300. (Average, $5,500)
"Queen of Destiny" (RKO) (2 days)
"The Grapes of Wrath" (Fox) (5 days)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,200. (Average, $1,600)
"Behind the News" (Rep.)
MINNESOTA—(4,000) (28c-39c) 7 days. With Sally Rand stage unit. Gross: $12,000. (Average, $10,000)
"Kitty Foyle" (RKO)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $4,000. (Average. $4,000)
"Texas Rangers Ride Again" (Para.)
GOPHER—(998) (28c) 7 days. Gross: $2,400. (Average. $2,500)
"Dancing on a Dime" (Para.) (3 days)
"Pier 13" (Fox) (3 days)
"The Great Plane Robbery" (Col.) (4 days)
"Nobody's Children" (Col.) (4 days)
ASTER—(900) (15c-28c) 7 days. Gross: $2,200. (Average, $1,800)

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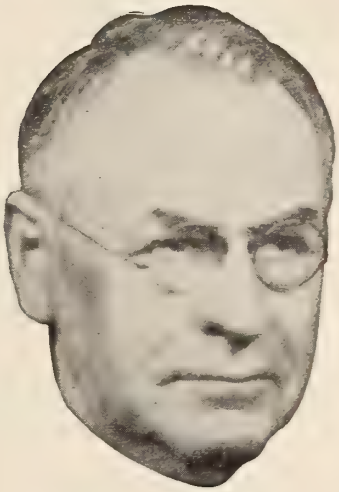

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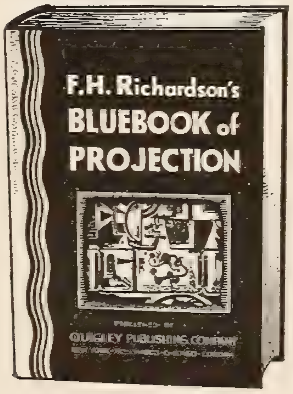

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Premature

Philadelphia, Feb. 3

LAST week, the local trade held two testimonial dinners in honor of Cecil Felt, operator of the Bluebird. Being the first man of the Variety and Showmen's Clubs to be drafted, scheduled to leave for camp on Friday, each organization feted him with parties on Tuesday and Thursday evenings, respectively. But on Friday Felt "flunked" his final exams and did not go to a training camp after all. As a result, Felt promised to give the two clubs dinners identical to those given him.

Divorcement Bill Is Filed in Nebraska

LINCOLN, Neb., Feb. 3.—Nebraska's legislature this week will consider a bill by E. M. Neubauer, former Orleans, Neb., exhibitor, prohibiting ownership or control, in whole or in part, of motion picture theatres in Nebraska by producers and distributors.

The bill was on the docket of the 1939 session and was killed in committee hearings. Most seriously affected should the measure make the grade this time will be A. H. Blank's Tri-State Circuit, which is an affiliate of Paramount and J. H. Cooper's Lincoln Theatre Corp., which also is allied with Paramount. Fox Intermountain and Midwest circuits operate several houses in Nebraska.

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Feature Reviews

"Hatred"

(*World Pictures*)

LIKE so many French films of any consequence, "Hatred," produced in France late in 1939, is rigidly serious. It is a story of discord in the home of a rugged sea captain and his puritanical wife. He respects only the loyalty of his sea-faring cronies. She cannot descend to his level and maintain the dignity which she cherishes. In the final sequences he suffers a stroke and is taken to sea to die with his friends.

Harry Baur brings to the captain's role deep feeling and understanding. His portrayal of the pathetic paralytic is excellent. Gabrielle Dorziat appears as his wife; Pierre Renoir, his superior in the steamship company, and Albert Prejean, his first mate. All are capable.

The film ranks with the better French importations but its weighty drama would seem to limit its appeal to the "art" theatre patrons. The story can be followed easily through the English titles.

Running time, 70 minutes. "A."*

"Personal Column"

(*Pax Films*)

THIS was produced in France by Jacques Mitwitzky with Maurice Chevalier, Marie Dea, Pierre Renoir and Erich Von Stroheim playing the important parts and with a company of less popular but skillful players in the minor roles. English titles are used with proper effect.

Although the efforts to solve the disappearance of a number of young girls form the basic subject, the film is light for the most part with many saucy implications in dialogue and circumstances. A noon audience at the Little Carnegie appeared to enjoy it.

The story has Miss Dea, taxi dancer employed by the police answering various personal ads in newspapers, which method, the police believe, was used to lure the victims. Chevalier is a Parisian playboy she encounters in her search. Both are splendid.

Chevalier sings in his inimitable style on two occasions.

Running time, 89 minutes. "A."*

**"A" denotes adult classification.*

Long Runs Threaten Phila. Product Jam

PHILADELPHIA, Feb. 3.—A jam of product is feared by the independent neighborhood exhibitors because of the booking of "Fantasia" into Warners' Aldine, virtually taking a first run house out of circulation for an extended period. Opening Feb. 12, it is expected the Disney film will remain for at least six months with the possibility of continuing for the remainder of the year.

Aggravating the situation that might develop is the return of "Gone With the Wind" at the Stanley, now in its second week and a certainty to remain downtown beyond the usual number of weeks. The same holds true, it is said, for "Philadelphia Story," now in its third week at the Boyd. Still another factor is "Kitty Foyle," which stayed for three weeks at the Boyd and is currently staying for a third week on a second run at the Keith's.

Fight Wisconsin's Daylight Time Bill

MILWAUKEE, Feb. 3.—The Milwaukee Cooperative Milk Producers' Association voted condemnation of the proposed daylight saving bill now in the legislature, following addresses by L. F. Gran, general manager of Standard Theatres, and Charles W. Trampe, local exhibitor and head of Monogram-Midwest Film exchange.

The bill is slated to have a public hearing Thursday before the State and Local Government Committee of the Senate at Madison. The measure would remove from the present state laws all restrictions against the adoption of daylight saving time.

40 Pictures Now in Work; Eight Started

HOLLYWOOD, Feb. 3.—Forty pictures were before the cameras this week, as eight started and five finished. Nineteen are being prepared, and [illegible] are being edited.

The tally by studios.

Columbia

In Work: "They Dare Not Love," "A Girl's Best Friend Is Wall Street."

Globe

In Work: "Pot O' Gold."

Gloria

In Work: "New Wine."

MGM

Finished: "Roosty."

In Work: "Billy the Kid," "A Woman's Face."

Started: "Blossoms in the Dust," "Love Crazy."

Monogram

In Work: "Air Devils."

Started: "Sign of the Wolf."

Producers Releasing

Finished: "Outlaws of the Rio Grande."

Paramount

In Work: "One Night in Lisbon," "Caught in the Draft," "Men of Action," "Kiss the Boys Goodbye," "Power Dive."

Started: "Skylark."

RKO

In Work: "The Devil and Miss Jones," "Sunny."

Started: "Repent at Leisure," "Robbers of the Range."

Republic

In Work: "Citadel of Crime," "Sis Hopkins," "The Great Train Robbery," "Back in the Saddle Again."

Roach

In Work: "Broadway Limited."

20th Century-Fox

In Work: "The Outlaw," "Blood and Sand."

Started: "The Cowboy and the Blonde," "The Great American Broadcast."

Universal

Finished: "Mr. Dynamite."

In Work: "The Flame of New Orleans," "The Lady from Cheyenne," "The Man Who Lost Himself," "Model Wife," "Oh, Charlie."

Warners

Finished: "No Hard Feelings," "Strange Alibi."

In Work: "Shining Victory" (formerly "Winged Victory"), Miss Wheelwright Discovers America," "The Bride Came C.O.D.," "Thirty Days Hath September," "Singapore Woman," "Affectionately Yours."

Tax Cut for 3 Phila. Warner Theatres

PHILADELPHIA, Feb. 3. — Assessment reductions for 1941 in taxable real estate in the central city area, made public by the Board of Revision of Taxes, finds three Warner houses benefiting in the cut.

The Aldine was lowered from $593,500 to $549,000; the Boyd from $656,000 to $573,000, and the Karlton from $1,003,000 to $980,000. In addition, the Academy of Music, concert hall, was cut from $1,72,300 to $1,025,400.

Theatre Changes

Brandt Closes Bayside

The Bayside, Bayside, L. I., operated by the Brandt circuit, has been closed.

Interboro Builds in Flushing

The Interboro Circuit has constructed a new 599-seat theatre in Flushing, L. I.

Open Elmhurst House

The Queensboro, Elmhurst, L. I., which has been closed for several years, is now being operated Saturdays and Sundays by Queensboro Theatre Boulevard, Inc.

Sloan Takes Jersey House

The Franklin, Franklin, N. J., is now a unit of the St. Cloud circuit, of which Alvin Sloan is president.

Manages Oswego House

Herman Addison of Schine's State, Cortland, N. Y., has been appointed manager of the circuit's new Oswego, Oswego.

Take Richmond Hill Unit

Prudential Playhouses, Inc., has acquired the Jerome, Richmond Hill.

Pelham House to Arvid

The Pelham Picture House, Pelham, N. Y., has been taken over by the Arvid Theatre Corp., of which Arthur Rescher is head. The theatre was formerly operated by Lew Brecher.

Takes Manhattan Theatre

F. G. G. Theatres, Inc., is the new operator of the Irving Place Theatre, Manhattan.

Operate Great Neck Theatre

Herbert Scheftel and Alfred G. Burger, heading the Esquire Great Neck Corp., are now operating the Esquire, Great Neck.

Buys Nebraska House

Omaha, Feb. 3.—Charles Coryell has purchased the Kozy Theatre at Bassett, Neb., from Mrs. Zula Carlson, who operated the house for many years.

Take Gasconade Circuit

Rolla, Mo., Feb. 3.—R. E. Carney has purchased the controlling interest in the Gasconade Theatre Corp., which operates the Rollamo here, and the Lebanon at Lebanon, Mo. Carney and his partners plan to construct another house in Rolla and a second theatre in Lebanon.

Close Kansas Theatre

Kansas City, Feb. 3.—The Claflin Theatre at Claflin, Kan., which has been operated for several months by the business men of the town, has been closed.

Operates Camden Theatre

Camden, N. J., Feb. 3.—Si Myers has taken over the operation of the Elm, formerly held by the Loew Circuit.

Buys Share in Coast House

Pleasanton, Cal., Feb. 3.—James G. Hamm has purchased a half-interest in the Roxy Theatre here.

Sells California House

Fresno, Cal., Feb. 3.—Anthony Bou has sold the Rex to G. A. Acosta.

Leaves Indiana Theatre

Franklin, Ind., Feb. 3.—Howard F. Murphy, manager of the Artcraft Theatre here since 1936, has resigned to go with the U. S. Machine Corp. at Lebanon, Ind. Fahnley Bridges will succeed him here.

Lytle Replaces Riley

Lima, Ohio, Feb. 3.—Robert Lytle has been promoted from assistant manager to manager of the Warner State, succeeding Donald Riley, who was killed in a recent automobile accident.

Leases New Jersey House

Acme Theatres, Inc., has leased the Rex at East Rutherford, N. J., from Biro Theatres, Inc., headed by Abe Rotner. Berk and Kromgold negotiated the long term deal. The house seats 1,000.

Closes Kansas Theatre

Kansas City, Feb. 3.—Joe Allard has closed the Tivoli at Louisburg, Kan.

Tucker to Commonwealth

Kansas City, Feb. 3.—Ray Tucker, assistant manager of the Fox at Liberal, Kan., has joined Commonwealth Theatres as manager of the Ritz, at Garden City, Kan. He succeeds Ernest Nelson, who has answered the draft.

Reopen Rochester Embassy

Rochester, N. Y., Feb. 3.—E. M. Loew, Inc., has reopened the Embassy here, under the management of Harry Rodman.

Named Assistant in Baltimore

Baltimore, Feb. 3.—Bertram Yazel is the new assistant manager of Loew's Parkway here. He was transferred from the Capitol in Washington and replaces Dave Marx, resigned.

Manages Indiana House

Greenfield, Ind., Feb. 3.—Albert England has been named manager of the State here, succeeding Max Page.

Reopens at Elnora, Ind.

Elnora, Ind., Feb. 3.—William Floerke has reopened the Elnora here.

Open Toledo House Soon

Toledo, O., Feb. 3.—The new Esquire Theatre will open here soon. Walter Caldwell, formerly with Loew's, is president and treasurer of Esquire Theatre, Inc. The house seats 1,000.

Altec Renews Randforce

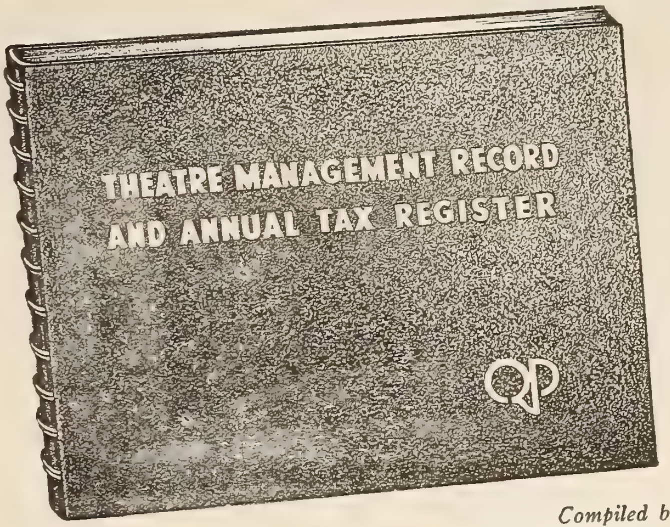
Randforce Amusement Corp. has renewed with Altec Service for the 42 Randforce houses on Long Island, N. Y. Bert Sanford negotiated for Altec.

Handles Formby Film

Select Attractions, Inc., has acquired from the B.S.B. Film Corp., for release in this country, the George Formby English picture, "It's in the Air," Basil Dean production. The release date is Feb. 28.

Acquires French Film

Leo Films, Inc., has acquired the remake rights on "Musicians from Heaven" ("Les Musiciens du Ciel"), the French version of which, starring Michele Morgan and Michel Simon, will be released in this country shortly.



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Same Air Audiences, Latest Ratings Show

General popularity of radio programs neither increased nor decreased during the first month of non-Ascap music broadcasting as compared with December, the National Association of Broadcasters declared yesterday after an analysis of the latest Crossley ratings.

It was said that 82 programs made gains, 86 had losses and four remained the same. Musical programs fell off four-tenths of one point, collectively, it was reported.

Stock Claim Is Filed By Elliott Roosevelt

WILMINGTON, Del., Feb. 3.—Elliott Roosevelt has filed a claim in Chancery Court here with the receivers of Transcontinental Broadcasting System, Inc., dissolved Delaware corporation, for $70,000 as holder of 4,000 shares of Class A stock.

Chancellor W. W. Harrington appointed Daniel F. Wolcott and Harry H. Stehman receivers for the system on Nov. 12, 1940, and on Dec. 16 ordered all creditors and holders of Class A stock to file their claims. The deadline for such claims is Feb. 20.

Joseph Honored at Farewell Luncheon

NEW HAVEN, Feb. 3.—Friends of Morris Joseph, manager for Universal here for almost 26 years, gathered for a farewell luncheon at Ceriani's Restaurant just before Joseph's departure today for a permanent residence in Florida.

Harry F. Shaw, toastmaster, presented the group gift of a portable typewriter to Joseph. The veteran manager first joined the Universal staff at the old Springfield exchange in 1912, and has served the company ever since.

Technicians' Union To Settle Smith Claim

HOLLYWOOD, Feb. 3.—Members of Sound Technicians Local 695, I. A. T. S. E., will settle the claim of Harold V. Smith, business representative, for $33,000 back pay, with $14,000, it was disclosed today when the results of a referendum were made public. Smith will continue under his current contract, which has three years to run, at his present salary of approximately $1,000 a month.

Keegan Film Buyer For United Detroit

DETROIT, Feb. 3.—Jack Keegan, for many years with Warners, and most recently Warner Theatres district manager in Milwaukee, from which post he resigned several months ago, will become head of film buying for United Detroit Theatres on Feb. 14. The appointment was made by Earl J. Hudson, head of the circuit.

Marcus Joins CBS

William Marcus has been added to the CBS staff to handle television publicity.

Off the Antenna

GENERAL ELECTRIC has received a construction permit for a 50,000-watt transmitter for KGEI, San Francisco, short wave station which broadcasts programs to Latin America, Asia, the Antipodes and South Africa. The station will remain non-commercial. It has been broadcasting from Treasure Island but will move to the Fairmont Hotel about May 1.

• • •

Purely Personal: *Leighton H. Blood, formerly publicity representative for Town Hall, has been named trade news editor for NBC . . . Robert S. Gerdy, assistant CBS trade news editor, is in Chicago for a week's vacation. While there, Gerdy will work on a swing music research project . . . Charles Pekor of the NBC publicity department, returned yesterday after a long illness and Aileen Soares, religious editor, is expected back today.*

• • •

David Sarnoff, RCA president, will speak on "New Magic in Communications" over NBC-Blue Saturday during the Metropolitan Opera House broadcasts.

• • •

Three Virginia stations, WSLS, Roanoke; WLVA, Lynchburg, and WBTM, Danville, all Mutual affiliates, have formed the Tri-City Stations Association to act as a cooperative national sales agency. Philip P. Allen is general manager for the group, with Carl B. Ogilvie, of WLVA, heading the sales organization. The association will handle all national accounts as principal rather than as agent and booking and billing will be handled through its offices.

• • •

Program News: *Latest survey figures show "Vox Pop" moving into second place among the quiz shows with "Information, Please" slipping to third place. "Truth or Consequences," which replaced "Information, Please" as the leader a little while back is still up front . . . Philip Morris Cigarettes has renewed "Johnnie Presents" for the fourth time over CBS adding 12 stations for a total of 90 . . . National Lead Co. will sponsor "Answer Auction" over eight Pacific CBS stations beginning Feb. 20 . . . Soil Off Manufacturing Co. will sponsor "Bob Garred, News" over seven Pacific stations beginning Thursday . . . The first album of "Chamber Music Society of Lower Basin Street" records will be issued by Victor Feb. 17.*

• • •

Glenn Miller was again voted the best orchestra by listeners of Martin Block's "Make Believe Ballroom" over WNEW. A total of 210,000 votes were cast in the 10th semi-annual survey. Tommy Dorsey was second again, followed by Jimmy Dorsey, Artie Shaw, Bradley-McKinley, Benny Goodman, Sammy Kaye, Charlie Barnet, Vaughn Monroe and Gene Krupa.

British Units Meet On War Problems

LONDON, Feb. 3.—The first meeting of the joint committee representing the Cinematograph Exhibitors Association and the Kinematograph Renters Society, seeking an amicable solution of theatre problems which have developed because of the war, will be held on Wednesday.

The representation of both trade groups on the committee will be equal. Although the meeting is without a formal agenda, it is authoritatively understood that the K.R.S. has a plan ready for presentation. The C.E.A., unofficially aware of the plan, is determined not to commit the organization to acceptance of any plan contrary to the resolution recently taken at the general council meeting, it is understood.

The London C.E.A. Branch, which initiated the protest against the K.R.S. on the war situation, is represented on the committee, and will seek a formula differentiating between theatres closed by bombing and those closed because of economic circumstances. They also will ask that advance bookings be declared null and void in the case of forced closing of a house. Despite the continued bombings, some London houses are reopening.

The C.E.A. and K.R.S. also on Wednesday will consider the appointment of a full-time trade expert on the new Army Council Films Committee. Frederick Clive, South Coast theatre manager, is expected to be approved by both trade groups.

Plans New Operator Ordinance in Seattle

SEATTLE, Feb. 3.—Differences of opinion between local theatre owners and the operators' union regarding licensing of operators were aired before the Public Safety Committee of the City Council, and a new ordinance soon will be drafted by the committee with the aid of a representative of each of the interested groups.

Exhibitors object to the present system whereby the chief of the fire department has sole charge of issuing operators' licenses, and also object to the present requirement that applicants for licenses or renewals must have had at least six months' experience. They request a change in the ordinance that will provide for a written examination and a physical examination by a health department doctor as prerequisites for the issuance of a license or renewal.

Censor Board Fee Reduced in Kansas

TOPEKA, Feb. 3.—The Kansas board of censorship, because of a financial surplus on hand, has reduced its motion picture censorship fees from $1 to 50 cents per 1,000 feet on all feature and comedy subjects, effective Feb. 1.

The rate on educational, scenic and cartoon subjects will remain at 25 cents.

Stevenson to 'Eyre'

HOLLYWOOD, Feb. 3.—Robert Stevenson has been named by David O. Selznick to direct "Jane Eyre," his next production, the distribution of which has not yet been set.

Reynolds Resigns As FCC Secretary

WASHINGTON, Feb. 3.—John B. Reynolds has resigned as assistant secretary of the FCC to become general manager of WKWK, new station under construction in Wheeling, W. Va., of which he is part owner. Reynolds joined the Federal Radio Commission in 1930. He was later appointed assistant secretary and con[illegible]ued in that post with the FCC w[illegible] it was subsequently created.

Crosley Is Sued Over Air Patents

CINCINNATI, Feb. 3.—The Hazeltine Corp., Jersey City, N. J., has filed seven suits in U. S. District Court here against the Crosley Corp., charging infringement of as many patents, and seeking an injunction, accounting and damages in each suit. Alleged infringements cover sound reproducing instruments, peak detectors, automatic control systems, electric coupling systems, low-frequency amplifiers, unicontrol signaling systems and amplifier volume controls, which are combined in radio receivers.

Cincinnati Club's Trustees Elected

CINCINNATI, Feb. 3.—Milton Gurian, Al Kolitz, Irving Sochin, Nate Levine, William Devaney and Lev Bugie were elected trustees of the Cincinnati Cinema Club at the annual meeting, held in the Variety Club quarters.

These trustees reelected Rudolph Knoepfle, Republic salesman, president, and Peter Niland, Columbia salesman, secretary and treasurer. New officers elected were: Mark Cummings, Paramount salesman, first vice-president, and Joseph McKnight, RKO salesman, second vice-president. Installation of officers will be held at a dinner, Feb. 21.

Nominate Five Films For Editing Award

HOLLYWOOD, Feb. 3.—Nominated for the film editing award of the Academy of Motion Picture Arts and Sciences are "Grapes of Wrath," "The Letter," "Long Voyage Home," "North West Mounted Police" and "Rebecca." The final winner will be selected by a committee of five representatives of the film editors section of the Academy and five representatives of the Society of Motion Picture Editors.

Council Starts New Army Training Film

HOLLYWOOD, Feb. 3.—The Research Council of the Academy of Motion Picture Arts and Sciences has started the second of the Army Signal Corps training films, with Irving Pichel directing. The subject deals with personal hygiene.

Francescone Rites Held

ATLANTIC CITY, Feb. 3.—Funeral services were held today for Reynolds Francescone, 26, doorman at the Lyric, who died last Thursday at Atlantic City Hospital of a lingering illness. He was employed at the theatre for 11 years. His parents and two brothers survive.

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De Sylva Gets LeBaron Post At Paramount

Will Become Executive Producer on May 1

HOLLYWOOD, Feb. 4.—Y. Frank Freeman today announced the appointment of Buddy G. De Sylva as executive producer at Paramount, succeeding William LeBaron, who withdrew from that post yesterday to produce independently for Paramount release.

De Sylva has been associate producer at the studio for several months His first picture, "Caught in the Draft," is now nearing completion. The appointment becomes effective May 1, when LeBaron will begin production.

Also a producer of legitimate shows, De Sylva now has two successful productions on Broadway, "Panama Hattie" and "Louisiana Purchase." Another, "DuBarry Was a Lady," closed recently.

Prior to producing, he wrote songs for Ziegfeld's Follies and George White's Scandals and formed a music publishing company, De Sylva, Brown & Henderson. He also wrote musical productions, including "Hold Everything."

His first film productions were "Sunnyside Up" and "Just Imagine," for Fox. He collaborated on or produced numerous other films for 20th Century-Fox, Paramount, Universal and RKO in recent years.

'Back Street' Given Glittering Premiere

By SAM SHAIN

MIAMI BEACH, Fla., Feb. 4.—This town tonight climaxed an extraordinary four-day celebration heralding Universal's "Back Street" with a glittering premiere of the picture at the Lincoln and Cameo Theatres, at which 100 members of the press, recruited from around the country, via plane and train, were the star guests.

The city turned out in all its splendor. Even the weather changed, and cool breezes fanned the town as press, society, show people, civic and governmental celebrities attended the opening, which was a tremendous success.

Thousands stood outside watching the guests arrive. Tickets were sold out for both theatres far in advance

(*Continued on page* 6)

Ascap Not Topic at AFM Miami Session

Miami, Feb. 4.—There have been no discussions as yet of the Ascap-BMI controversy at the annual midwinter meeting here of the executive committee of the American Federation of Musicians, it was ascertained today.

The session, which began last week, has been concerned mostly with routine matters and problems concerned with social security for musicians, according to James C. Petrillo, president. Indications are that the meeting will continue through Friday.

Shaw Sees Screen Greatest Medium, Pascal Declares

George Bernard Shaw has undergone a complete change of heart on motion pictures and now believes that the medium is the greatest means of artistic expression in existence, Gabriel Pascal, producer of Shaw plays for motion pictures, said in an interview here yesterday.

G. B. S., Pascal said, was converted to his new view of films following the production of "Pygmalion," which the British playwright credits with having endeared him to the common people for the first time in his lengthy career.

Pascal said that Shaw now is writing an original story for motion pictures and devoted considerable time to the rewriting of "Major Barbara" while that work was in production in

(*Continued on page* 5)

U.S. Firms Finish Only Nine British Films in 10 Months

LONDON, Feb. 4.—The fact that only nine features have been registered under the distributors' quota through January, in the first 10 months of the quota year, indicates that the American companies are experiencing considerable production difficulty.

In some cases, it is unlikely that the required number of films will be registered by the end of the quota year on March 31. The problems of war conditions, including the inaccessibility of stars, directors and the like, also have prevented the carrying through of original plans for many world-market films here.

Several of the nine films were double and one was triple quota value. The Government's delay last year in announcing its plans on industry legislation and dollar exchange resulted in production delays.

The films registered through Jan. 31, are: M-G-M, three; Columbia,

(*Continued on page* 5)

Royster Named to Head Netco Circuit

Harry Royster, assistant to Leonard H. Goldenson and Sam Dembow in the Paramount home office theatre department, yesterday was appointed to take charge of the company's Netco Theatres in upstate New York, effective March 1.

The post has been vacant since the resignation last year of George Walsh. Royster will make his headquarters at Poughkeepsie, N. Y. Eddie Hyman, film buyer for United Detroit Theatres, and assistant to Earl J. Hudson in Detroit, will succeed Royster at the home office. Hyman formerly was associated with the Century Circuit here.

"Back Street"

[Universal]

THE deep tragedy of a fine, but necessarily clandestine, love, one of Fannie Hurst's most notable achievements as a leading novelist, "Back Street," comes again to the screen in a splendidly executed drama.

When first it was produced, in 1932, also by Universal, Irene Dunne and John Bowles were in the leading roles. That picture was a tremendous success. There is every reason to believe that this new production of that same powerful story should attain a like position in the hall of the box-office great.

It is warm and human, with all the warmth and humanness of life itself, in its more tender—and more tragic—moments. The interpretation of these two demanding roles has been entrusted—most wisely—to Charles Boyer and Margaret Sullavan. With all the skill at the command of both these able performers, they carry their unfortunate story

(*Continued on page* 6)

Ascap to Meet Arnold in New Decree Move

U. S. Prepared to File Action Today

Ascap will renew negotiations with the Government for a consent decree within the next few days by sending a committee of 12 to Washington to meet with Assistant U. S. Attorney General Thurman Arnold as soon as a definite date for a meeting can be arranged.

Pending the outcome of the meeting, the Government will not file its projected criminal action against Ascap in Federal court at Milwaukee.

The Ascap board of directors yesterday named the following as a committee to meet with Arnold in Washington at the earliest possible moment: Irving Berlin, Deems Taylor, Otto Harbach, Irving Caesar, Oscar Hammerstein, Billy Rose, Oley Speaks, Saul Bornstein, Walter Fischer, Gene Buck, John G. Paine and E. C. Mills.

Arnold was away from Washington yesterday so no arrangement for a meeting could be made, but it is expected that one will be arranged between now and Monday.

The main purpose of the meeting is to give the Department of Justice officials the views of Ascap's professional and business members on the practical effects of the Government's decree demands on their operations. Ascap quarters believe that the Department does not realize the drastic effect its proposals would have on composers and publishers and hopes, by the proposed discussion, to have

(*Continued on page* 5)

Warners to Raise Philadelphia Scale

PHILADELPHIA, Feb. 4.—In order to realize the greatest amount of revenue when the houses carry peak loads, Warner theatres here will raise admission prices in certain situations for Saturday and Sunday, especially for the matinees.

Making adjustments in the price differential in a particular neighborhood rather than as a general policy for the circuit, the weekend admission prices will be raised up to five cents and in some situations balcony prices will be discontinued. Only a dozen houses will be affected at the start. The increases now are considered experimental.

'Liberty Jones' to Open Here Tonight

"Liberty Jones," a play with music by Philip Barry, will be presented at the Shubert tonight by the Theatre Guild. John Beal and Nancy Coleman have the leading roles.

Urge Billboard Ban Along Pa. Highways

PITTSBURGH, Feb. 4.—"State agencies should seek legislation that will give them more regulatory power over roadside conditions," *The Press* declared in an editorial supporting the program of the Pennsylvania Department of Commerce Planning Board to eliminate billboards along the highways.

More than 400 advertising structures have already been removed as a result of the department's program to beautify roadsides. Because of its many small cities, western Pennsylvania highways are dotted with billboards, many of them advertising theatre attractions.

3 Companies Formed

ALBANY, Feb. 4.—Three new companies incorporated here include: Sunshine Productions, Inc., by Hugo Pollock, Frank M. Hill and Sara Himelfarb, New York; Jeffrey Pictures Corp., by Ben B. Lifflander, Herbert Cohen and Henriette Basof, New York, and Film Enterprises, Inc., by Edward H., Edward L., and G. H. Moore, Floral Park, N. Y.

Personal Mention

EDWARD A. GOLDEN is here from the Coast for two weeks of business conferences.

•

C. A. KIRBY of the Universal foreign department left last night for St. Augustine, Fla., for a vacation of several weeks.

•

J. J. MURDOCK, former Orpheum Circuit executive, returned yesterday from a six-week visit on the Coast.

•

AUSTIN KEOUGH, Paramount general counsel, who was prevented by illness from attending the company's Latin American sales meeting in Panama this week, plans to leave Saturday for a vacation of several weeks in the South.

•

A. W. SMITH, JR., ANTOINETTE PERRY, HARRY GOETZ, MARCUS HEIMAN, ADOLPH ZUKOR, BARNEY BALABAN, AUSTIN KEOUGH, RUSSELL HOLMAN, GEORGE WELTNER, SIDNEY PHILLIPS, ELMER RICE, ARTHUR KRIM, BROCK PEMBERTON, JOHN GOLDEN, ARTHUR LOEW, WILLIAM MELNIKER and OTTO PREMINGER at Sardi's yesterday for lunch.

•

IRVING LESSER, CHARLES STERN, IRVING BERLIN, J. J. MILSTEIN, ARTHUR GOTTLIEB and HAL HORNE lunching at Lindy's (51st St.) yesterday.

•

STANLEY HAND, staff representative of Altec Service, has returned from a vacation at Miami Beach.

LEONARD GOLDENSON, theatre operations executive for Paramount, will leave at the end of the week for a brief stay in Miami.

•

MOE IUSHEWITZ, public relations man for Local 306, has returned to work after recovering from an operation.

•

JACK LE VIEN of the Pathe News contact department, has been ordered to active duty with the Second Armored Division at Fort Benning, Ga.

•

FRED MCCONNELL, MACK LITTMAN, MAURICE BERGMAN and WALTER FUTTER having lunch yesterday at the Tavern.

•

EDWARD FITZGERALD, assistant booker at the Paramount New Haven exchange, has resigned for Army duty at Fort Blanding, Florida. LOUIS POSNER has replaced him.

•

DAVID E. MILGRAM, Affiliated Theatres circuit head; LEWEN PIZOR, United M.P.T.O. president, and GEORGE E. SCHWARTZ, Universal branch manager, are among the Philadelphia industry members headed for Florida.

•

BEN ZIMMERMAN, manager of William Goldman's 56th St. Theatre, Philadelphia, is recovering from an appendix operation at the Temple University Hospital.

•

LAWRENCE MULHALL, district manager of Warner theatres outside of Philadelphia, has been ordered to Ft. Bragg, N. C. He is a captain in the reserve corps.

•

HARRY BROWN, Monogram manager in Washington, has left for a short vacation in Florida, following his recent recovery from the flu.

•

SIDNEY LUST, operator of a circuit in and about Washington, will leave this weekend for a Florida vacation.

•

WILLIAM BROWN, manager of the Park in Worcester, Mass., is the father of a daughter, born to MRS. BROWN several days ago.

•

MORRIS ROSENTHAL, manager of the Majestic, Bridgeport, Conn., is ill with a throat infection.

•

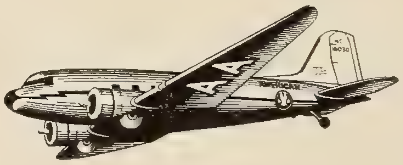
CHARLES C. MOSKOWITZ, EUGENE PICKER, MARVIN SCHENCK, IRVING SHAPIRO and ARCHE MAYER at Lindy's (next to the Rivoli) for lunch yesterday.

•

PHIL ENGEL, Eastern district exploiteer for Warners, is in Rochester.

•

OSCAR A. DOOB, EDWARD SAUNDERS, RALPH AUSTRIAN, DAVID LEVY, E. K. O'SHEA, HARRY BRANDT and LOU DREYFUS lunching yesterday at Nick's Hunting Room in the Astor.



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Newsreel Parade

SPORTS came in for more than the usual share of attention in the midweek issues of all the newsreels, as the camera was focussed on a variety of miscellaneous events concerned with defense and other domestic matters. The contents of the reels:

MOVIETONE NEWS, NO. 43—President's Birthday Ball in Washington and New York. Lloyds of London continues to function—but underground. English women work in heavy industries. Pan-American Airways trains army pilots in Miami. 70-ton bomber under construction in California. Millrose Games. Famous stallion brought from Australia for breeding. Speed skating at Schenectady. Golf tournament in Miami.

NEWS OF THE DAY, No. 241—Lloyds of London operates underground. Dixie hails peanut queen. Coast guard frees icebound boat in New York. Marines promote their mascot. President's Birthday Ball. Miami-Biltmore golf tournament. Table tennis tourney in Washington. Stallion brought here from Australia. Millrose Games.

PARAMOUNT NEWS, No. 46—Mercy ship sails from Baltimore. Fred Bate, NBC commentator, home from London. Troop train wrecked in Mississippi. Rush Puerto Rican defenses. War and Navy Department employes under scrutiny. F.B.I. agents listen in on foreign broadcasts. Dies Committee shows material sent through mails. Golden Gate Turf Club opens in California. Horse racing on ice at Derry, N. H. Miami-Biltmore golf tourney. Table tennis in Washington. Annual sportsmen's show in Boston.

RKO PATHE NEWS, No. 46—U. S. celebrates President's Birthday. NBC reporter Fred Bate, back from London. Troop train wrecked in Mississippi. World's largest bomber nearly ready in California. Table tennis tournament in Washington. St. Paul Winter carnival. Peanut queen selected in Virginia. Marine mascot promoted to sergeant. Millrose Games. Golden Gate Turf Club opens in California.

UNIVERSAL NEWSREEL, No. 951—President's Birthday Ball. Troop train wrecked in Mississippi. Marines promote their mascot. St. Paul Winter carnival. Millrose Games. Table tennis in Washington. Horse racing on ice at Derry N. H. Golf tourney in Folrida. Golden Gate Turf Club opens.

RKO Fails to Take Action on Preferred

RKO yesterday announced that the board of directors of the company has decided to take no action on a dividend for the final 1940 quarter on the company's six per cent preferred stock. As of Jan. 31, dividends accumulated and unpaid on the stock amounted to $6 per share.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Damon Runyon's

The Brighter Side

Reg. U. S. Pat. Off.

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DAILY MIRROR SATURDAY FEBRUARY 1 1941 ****

In a middling-sized city the other day at two movie theatres showing "Gone With the Wind" at popular prices, they had ropes up keeping the crowds in line. We are told that the same situation exists wherever they are putting on the picture for its second run and this, we think, should be a fine object lesson to the movie makers who occasionally become pessimistic over the future of the cinema.

If they give us cash customers genuine entertainment, we will do the rest, now and through the years to come. That is all "Gone With the Wind" is—entertainment. It is just an enthralling story told in the best manner of the screen. It has already hung up a new record for money grossed and this in a time when the world market is not what it used to be and before it is finally laid away on the shelf it will probably play to more cash customers and consequently more money than any half dozen pictures in the history of the industry combined.

"Gone With the Wind" is now an oldie as the age of pictures go. It has played all the big first run cities at advanced prices, and to jammed houses. You would have thought it must have absorbed all the trade possible to one picture, because even the cash customers who are usually content to wait until an offering gets down to the lower levels at the box office stretched a financial point to see it. But here it is doing a land office business all over again, and we suspect that some of this business is repeat stuff.

THAT IS, many cash customers who saw "GWTW" before are seeing it again, which is a further tribute to its entertainment value, especially when it is playing against numerous new pictures. We personally welcome the return of the picture because we know it will prove an antidote to a severe attack of screen poisoning that we sustained recently. One of those sad message pictures that come out of Hollywood in cycles leaped out on us in a theatre not long ago and bit us. The result was a spell of deep depression and complete lassitude toward all suggestions of theatre going.

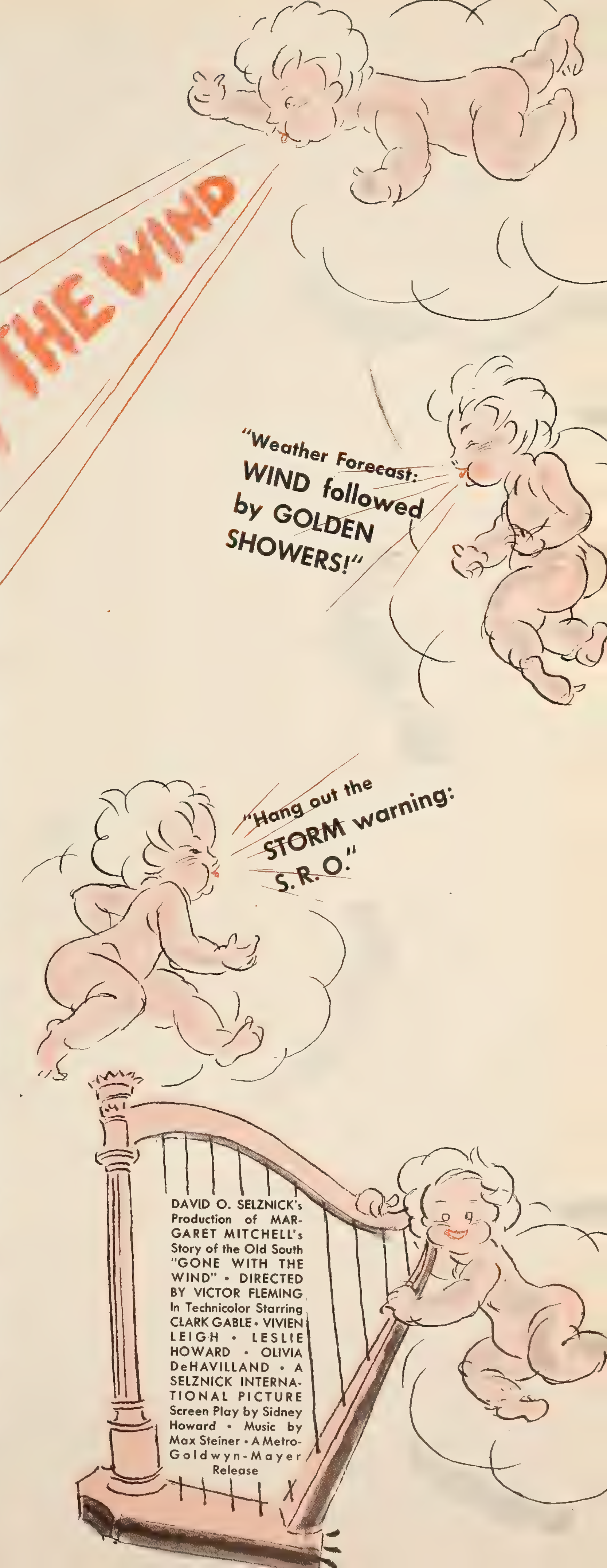
A victim of screen poisoning, which is a malady peculiar only to cash customers, can scarcely abide the thought of seeing another picture for awhile. It produces dark thoughts of vengeance against the makers of the picture. Sometimes a victim has been known to sit brooding for hours at a stretch wondering where he might find the producer and the director and the authors and even the performers and give them what-for.

THE CONDITION is usually only temporary, as in our case, and can be promptly cured by something like "GWTW." We have already seen it three times, which is quite a job of seeing if you recall the lnegth of the picture. That is not a record with us, however. We think we have seen "Birth of a Nation," counting revivals and all at least half a dozen times and we gave the Disney short, "Three Little Pigs," our business on no less than ten different occasions.

It might be argued that "GWTW" is a sort of freak in the picture business the like of which will never be seen again and that it cannot be used as a yardstick on pictures generally. We do not think this is true. We think that any picture with the same entertainment value would do the same business. We think this picture is definite proof that the movie makers have just scratched the box office possibilities of their game. When they stick to entertainment and entertainment only they are sure to be rewarded. The old gag still holds true—"There is nothing wrong with the pictures that a few good pictures will not cure."

BUT THERE REMAINS among the picture makers and especially, we think, the directors, that same curious misapprehension as to what constitutes entertainment value that has prevailed since the inception of the industry. We find it in the gloomy message cycles that produce the screen poisoning among the cash customers and in the arty efforts which win the encomiums of the critics but which are not entertainment within the purview of the cash customers.

"GWTW" should be run at least once a week in Hollywood for years to come and all directors required to be present at every showing, with some representative of us cash customers announcing to them at intervals: "See, boys, that is what we mean."


GONE WITH THE WIND
"Weather Forecast: WIND followed by GOLDEN SHOWERS!"
"Hang out the STORM warning: S.R.O."

DAVID O. SELZNICK's Production of MARGARET MITCHELL's Story of the Old South "GONE WITH THE WIND" • DIRECTED BY VICTOR FLEMING In Technicolor Starring CLARK GABLE • VIVIEN LEIGH • LESLIE HOWARD • OLIVIA DeHAVILLAND • A SELZNICK INTERNATIONAL PICTURE Screen Play by Sidney Howard • Music by Max Steiner • A Metro-Goldwyn-Mayer Release

'Philadelphia' Chicago Lead With $20,000

CHICAGO, Feb. 4. — "Philadelphia Story" took $20,000 at the United Artists. "Second Chorus," at the Chicago with a stage show drew $40,000. "Kitty Foyle" pulled $12,000 in the fifth week at the Palace.

Estimated takings for the week ending Jan. 31:

"Comrade X" (M-G-M)
APOLLO—(1,400) (35c-55c-75c) 7 days, 3rd week. Gross: $5,500. (Average, $6,500)

"Second Chorus" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Folies Bergere Unit. Gross: $40,000. (Average, $32,000)

"Santa Fe Trail" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)

"Ellery Queen" (Col.)
ORIENTAL — (3,200) (25c-40c) 7 days. Stage: Mitzi Green, Larry Adler, Bob Zurke, Peggy Bernier, Milton Watson. Gross: $19,000. (Average, $13,000)

"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
PALACE—(2,500) (35c-40c-60c) 7 days, 5th week. Gross: $12,000. (Average, $13,000)

"Hudson Bay" (20th-Fox)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $8,000. (Average, $11,000)

"A Night at Earl Carroll's" (Para.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Cab Calloway Orchestra. Gross: $18,000. (Average, $15,000)

"Philadelphia Story" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $20,000. (Average, $14,000)

'Wind' Kansas City Winner at $23,500

KANSAS CITY, Feb. 4.—With bad weather houses here did barely average business. The exception was the Midland, where "Gone With the Wind" grossed a smash $23,500 at slightly increased admissions.

Estimated takings for the week ending Jan. 28-30:

"Tall, Dark and Handsome" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $1,500. (Average, $2,200)

"Gone With the Wind" (M-G-M)
MIDLAND — (4,000) (40c-56c) 7 days. Gross: $23,500. (Average, $9,500)

"Second Chorus" (Para.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $7,000. (Average, $7,000)

"Santa Fe Trail" (W. B.)
"She Couldn't Say No" (W. B.)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $4,900. (Average, $5,000)

"Six Lessons from Madame La Zonga" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Jack Major, Pedro & Rafael, Jeanne Kirk & Harry Clayton. Gross: $6,000. (Average, $6,000)

"Tall, Dark and Handsome" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $2,200. (Average, $3,000)

'Mothers' Garners $5,000 in Montreal

MONTREAL, Feb. 4.—"Four Mothers" took $5,000 at the Capitol. "Comrade X" drew $7,000 in the second week at Loew's.

Estimated takings for the week ending Jan. 31:

"The Thief of Bagdad" (U. A.)
ORPHEUM—(1,000) (30c-43c) 7 days, 5th week. Gross: $2,500. (Average, $4,000)

"Comrade X" (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 2nd week. Gross: $7,000. (Average $7,000)

"Flight Command" (M-G-M)
PALACE—(2,200) (25c-45c-65c) 7 days, 2nd week. Gross: $4,500. (Average, $7,000)

"Four Mothers" (W. B.)
"The Case of the Black Parrott" (W. B.)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $5,000. (Average, $4,000)

"South of Suez" (W. B.)
"She Couldn't Say No" ((W. B.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $3,500. (Average, $2,500)

RKO to Start Work on 8 New Pictures This Month

Hollywood, Feb. 4.

RKO has two pictures shooting and preparations for launching eight features within the month. The films, four of which will be high budget affairs, are: "Before the Fact," directed by ALFRED HITCHCOCK and co-starring CARY GRANT and JOAN FONTAINE and featuring NIGEL BRUCE and DAME MAY WHITTY; "My Life with Caroline," WILLIAM HAWKS production starring RONALD COLMAN and directed by LEWIS MILESTONE; "Tom, Dick and Harry," starring GINGER ROGERS and featuring GEORGE MURPHY, ALAN MARSHALL and BURGESS MEREDITH, with GARSON KANIN directing and ROBERT SISK producing.

Also, "Repent at Leisure," co-starring WENDY BARRIE and KENT TAYLOR with FRANK WOODRUFF directing and CLIFF REID producing; "Parachute Squadron," service story of U. S. Army parachute troop training to be produced by HOWARD BENEDICT; "The Devil and Daniel Webster," from the STEPHEN VINCENT BENET novel, to be produced and directed by WILLIAM DIETERLE, with THOMAS MITCHELL; "How to Meet a Man," to be produced by GENE TOWNE and GRAHAM BAKER; "Robbers of the Range," TIM HOLT western with VIRGINIA VALE, RAY WHITLEY and EMMETT LYNN supporting, EDWARD KILEY directing and BERT GILROY producing.

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Harry Darmour has signed Warren Hull to star in the serial, "The Spider Returns," for Columbia release. To be directed by James Horne, the film will be a sequel to "The Spider," chapter-play made by Darmour some time ago. . . . Paramount this week announced Anne Shirley would be starred in "Little Miss Muffett," story of a West Point cadet's love affair; and that Albert Dekker would play in a new horror story, "Among the Living," by Lester Cole and Brian Marlow.

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PRESTON FOSTER has been loaned by Paramount to Universal for GREGORY LACAVA'S "Unfinished Business." . . . JOAN LESLIE sixteen-year-old actress, will play the feminine lead opposite GARY COOPER in Warners' "Sergeant York," expected to get under way this week. . . . Second feminine lead in the WILLIAM POWELL-MYRNA LOY vehicle, "Love Crazy," at M-G-M, goes to GAIL PATRICK. . . . Warners has given new contracts to REGIS TOOMEY, WILLIE BEST and LUCILE FAIRBANKS.

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STIRLING HAYDEN will be DOROTHY LAMOUR'S co-star in Paramount's "Dildo Cay." . . . HARRY SHERMAN has made CECILE KRAMER his story department head. . . . Columbia has set NAN GREY and ALAN BAXTER in "Under Age," described as a story of a blackmail ring operating behind a cross-country chain of hotels. EDWARD DMYTRYK will direct under the production sunervision of RALPH COHN. . . . RKO has extended the contracts of IRVING REIS, director, and KENT TAYLOR. . . . EDDIE BRACKEN draws the comedy lead in "Birth of the Blues," BING CROSBY'S next picture.

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Jacqueline Wells, borrowed from Warners, plays the feminine lead in the next Gene Autry picture at Republic, "Back in the Saddle Again." Smiley Burnette and Mary Lee will support Autry again. Lew Landers will direct and Harry Grey act as associate producer . . . "Forced Landing" will be the second of the three aviation action stories to be made by William Pine-William Thomas' Producers Corp. of America for Paramount release. Edward Churchill and Maxwell Shane, who wrote the original, will do the screenplay.

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SOL LESSER is seeking a new title for "Strange Victory," which will star MARTHA SCOTT. . . . "Ellery Queen's Penthouse Mystery" will be the title for Columbia's second Ellery Queen story. Warners has changed the title of "She Stayed Kissed" to "Kisses for Breakfast," and of "Winged Victory" to "Shining Victory." . . . WAYNE MORRIS and ARTHUR KENNEDY go into the cast of "Mother's Boys," and JOHN QUALEN into "The Gentle People," both at Warners.

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Republic has purchased "Jason, the Bucket," a light comedy original by FRANCES COCKRELL, and "Cinderella in Washington," original by JOSEPH POLAND. . . . J. CARROL NAISH goes into 20th Century-Fox's "Blood and Sand." . . . DAVID HEMPSTEAD has been assigned the production reins on the BEN HECHT story that RKO has purchased. . . . PETER LORRE and FLORENCE RICE have been set for "Mr. District Attorney" at Republic.

Managers Shifted By Pioneer Circuit

DES MOINES, Feb. 4.—Max Factor formerly connected with the Pioneer Theatre Corp., office at Minneapolis, Minn., has come here as manager and booker for the company in the Des Moines territory.

Changes in management of the Pioneer houses in this territory, following the resignation of Marion Parkinson, manager of the Spencer at Spencer, Iowa, follow: Art Farrell, manager of the Rapids at Rock Rapids, Iowa, has been transferred to Atlantic to manage the Iowa and Grand; Lee Beckley, manager of the Fraser at Spencer, will manage the Iowa and Rapids at Rock Rapids; Gordon McKinnon, manager of the Perry at Perry, goes to Spencer to manage the Fraser and Spencer, and Cliff Lindblatt, formerly manager of the Iowa and Grand at Atlantic, will go to Perry to manage the Perry and Fox.

Vetoes Game Ordinance

MASSILLON, O., Feb. 4.—An ordinance recently passed by City Council which would license chance games and similar "trade stimulants" at theatres, was vetoed by Mayor Harry W. Larsh, who declared that the measure permitted persons to register without actually attending the theatre, and this, he charged, was engaging in a lottery.

Frisco Gives Big $23,000 to 'Philadelphia'

SAN FRANCISCO, Feb. 4.—"Philadelphia Story" drew $23,000 at the Fox, paired with "Jennie," and "Kitty Foyle" took $19,500 at the Golden Gate. The weather was good.

Estimated takings for the week ending Jan. 28-31:

"Kitty Foyle" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $19,500. (Average, $15,000)

"Philadelphia Story" (M-G-M)
"Jennie" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $23,000. (Average, $16,000)

"Comrade X" (M-G-M)
"Romance of the Rio Grande" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $5,500. (Average, $6,000)

"This Thing Called Love" (Col.)
"Ellery Queen, Master Detective" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $10,000. (Average, $8,000)

"Capt. Caution" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $7,800. (Average, $8,000)

"Four Mothers" (W. B.)
"She Couldn't Say No" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $10,500. (Average, $11,500)

"Victory" (Para.)
"Case of the Black Parrot" (W. B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $11,500. (Average, $12,000)

"This Is Ireland" (Irish-American)
CLAY—(400) (15c-35c-45c) 7 days, 5th week. Gross: $600. (Average, $1,000)

'Wind' Strong in St. Louis, $18,500

ST. LOUIS, Feb. 4.—"Gone With the Wind," again led the city in its second week at the Loew's State with $18,500. "Kitty Foyle" took $14,000 at the Ambassador.

Estimated takings for the week ending Jan. 30:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (44c-56c) 7 days, 2nd week. Gross: $18,500. (Average, $13,000)

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
AMBASSADOR—(3,408) (28c-39c-44c-56c) 7 days. Gross: $14,000. (Average, $11,500)

"Santa Fe Trail" (W. B.)
FOX—(5,000) (30c-40c-50c) 7 days. "Truth or Consequence" on stage. Gross: $14,000. (Average, $11,000)

"Love Thy Neighbor" (Para.)
"This Thing Called Love" (Col.)
MISSOURI—(3,182) (30c-40c-50c) 7 days. Gross: $6,000. (Average, $4,000)

"The Barnyard Follies" (Rep.)
"Case of the Black Parrot" (W. B.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,500. (Average, $2,600)

'Comrade X' Draws $9,100, Tops Omaha

OMAHA, Feb. 4.—"Comrade X," dualed with "Haunted Honeymoon," grossed $9,100 at the Omaha. A 12-inch snow and cold over the weekend hurt business.

Estimated takings for the week ending Jan. 29-30:

"Arizona" (Col.)
"Always a Bride" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days, 2nd week. Gross: $3,200. (Average, $4,000)

"Comrade X" (M-G-M)
"Haunted Honeymoon" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $9,100. (Average, $6,000)

"Maisie Was a Lady" (M-G-M)
ORPHEUM — (3,000) (40c-55c) 7 days. Stage: Andrews Sisters, Three Stooges, Joe Venuti orchestra. Gross: $14,100. (Average, $13,000)

Ticket Agency

Pittsburgh, Feb. 4

WHEN the line for "Gone With the Wind" at Loew's Penn stretched a block and a half from the boxoffice, an enterprising newsboy began to buy admissions in strips of 10, at 40 cents each, then started to peddle them for 60 cents to people farthest from the door. After successfully working his scalp a few times to folks more willing to pay a premium price than stand in line, Manager Martin Burnett discovered the stunt and advised one of the policemen on the beat. The impromptu ticket agency was informed by the bluecoat to quit or else. He quit.

U.S. Firms Finish Only Nine British Films in 10 Months

(Continued from page 1)

one; Warners, two; United Artists, one; RKO, two; Paramount, one; 20th Century-Fox, none. Warners have two others as yet not shown, and 20th Century-Fox has one multiple quota film and one single not yet shown.

At a meeting of the general council of the Cinematograph Exhibitors Association next week at Nottingham, the British film shortage will be discussed, and the council is expected to be empowered to bring pressure to seek a reduction in the exhibitors quota.

A meeting tomorrow has been called by the British Board of Trade. Requested to attend the session are: the president and secretary of the C.E.A.; Maurice Ostrer, Michael Balcon and Fred Baker, producers; Tom O'Brien and George Elvin, labor. The fact that no American representatives and no distributors have been invited leads to the belief that the C.E.A. appeal for a reduction of the exhibitors quota will be discussed.

Republic Acquires Franchise in Dallas

James R. Grainger, president of Republic, announced on his return from Dallas yesterday that Republic had completed negotiations to purchase the interests of W. G. Underwood and C. C. Ezell in the Dallas Republic franchise for the Texas territory.

Lloyd Rust will continue as manager of the Republic exchange in Dallas and there will be no changes in the personnel. Underwood and Ezell will devote their entire time in the future to their theatre interests.

Warners Buys 'Arsenic'

HOLLYWOOD, Feb. 4.—Warners today announced the purchase of "Arsenic and Old Lace," current Broadway play by Howard Lindsay and Russel Crouse.

'Back Street' to Rivoli

"Back Street," Universal film, will follow "Kitty Foyle" into the Rivoli on Broadway, opening next Tuesday evening.

Appeal Board Offices Set

HEADQUARTERS for the national arbitration appeals board for the film industry will be established on the 12th floor of the RCA Building, Rockefeller Center, about Feb. 15. A lease for the offices and hearing room for the board was signed yesterday.

George Alger

Albert Putnam

The three appeals board members, Van Vechten Veeder, chairman; George W. Alger and Albert W. Putnam, will have quarters in the Bar Association Building until then. The appointments of Alger and Putnam to the board were made by Federal Judge Henry W. Goddard on Monday.

No complaints have been filed with any of the 31 local arbitration boards since their opening last Saturday, American Arbitration Association headquarters reported here last night. However, numerous applications for complaint forms have been made, including about 25 locally, and this is interpreted by the A. A. A. as an indication that the first complaints may be filed within the next week.

Local arbitration panels are being completed for the 31 boards this week and the names of the arbitrators will be made public thereafter.

Ascap to Capital in New Decree Move

(Continued from page 1)

those demands so modified that acceptable decree terms could be agreed upon, thus avoiding the threatened legal action against the society.

U. S. Ready to File Milwaukee Action

WASHINGTON, Feb. 4.—Department of Justice officials tonight prepared to file a criminal information against Ascap in Federal court at Milwaukee at 11 A. M. tomorrow unless arrangements for further settlement negotiations are concluded with the society at once.

The Department originally planned to file its action against Ascap Monday but granted a 48-hour truce pending the reopening of further negotiations. That deadline will expire tomorrow morning.

Hyman Is Here for 'Feeling' Premiere

Louis Hyman, general manager of Sol Lesser-Ernst Lubitsch Prod., arrived from the Coast yesterday to arrange for the premiere here of "That Uncertain Feeling," Lubitsch's new production.

Hyman said Lesser plans to start production March 1 on "Strange Victory," his next for United Artists' release. Lubitsch will come to New York in April for the opening of his picture at the Music Hall and will look for material for his next production while here, Hyman said.

Heads Bookers Club

CINCINNATI, Feb. 4.—Joe Goetz, assistant division manager of RKO, was reelected president of the Cincinnati Bookers Club for the sixth consecutive term. James Burnetti, Warner booker, again was chosen secretary and treasurer.

'Philadelphia' at $11,000 in Detroit

DETROIT, Feb. 4.—Bad weather cut into theatre receipts with average grosses the general result. "Philadelphia Story" and "Maisie Was a Lady" took $11,000 at the United Artists. "Arizona" and "Where Did You Get That Girl" did $6,500 at the Adams.

Estimated takings for the week ending Jan. 31:

"Arizona" (Col.)
"Where Did You Get That Girl?" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $5,500)

"The Letter" (W. B.)
"You'll Find Out" (RKO)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)

"Chad Hanna" (20th-Fox)
"Tall, Dark and Handsome" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)

"Come Live With Me" (M-G-M)
"Tugboat Annie Sails Again" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $12,000. (Average, $12,000)

"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Philadelphia Story" (M-G-M)
"Maisie Was a Lady" (M-G-M)
UNITED ARTISTS—(2,000) (25c-39c-44c-55c) 7 days, 3rd week. Gross: $11,000. (Average, $10,000)

'Wind' with $6,100 Leads New Haven

NEW HAVEN, Feb. 4.—"Gone With the Wind," in its second week at the College, drew $6,100 at the Roger Sherman. "Kitty Foyle" and "The Case of the Black Parrott" took $7,500. The flu epidemic hurt grosses.

Estimated takings for the week ending Jan. 30:

"Gone With the Wind" (M-G-M)
COLLEGE—(1,499) (40c-55c) 7 days, 2nd week. Gross: $6,100. (Average, $2,700)

"Chad Hanna" (20th-Fox)
"Maisie Was a Lady" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $6,500. (Average, $8,000)

"Life With Henry" (Para.)
"Texas Rangers Ride Again" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,500. (Average, $4,000)

"Kitty Foyle" (RKO)
"Case of the Black Parrot" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $7,500. (Average, $5,000)

Shaw Sees Screen Greatest Medium, Pascal Declares

(Continued from page 1)

England recently. Pascal said this latter work revealed Shaw as the greatest living scenarist—"a master writer with a perfect 'camera mind.'"

The producer, who arrived this week from Europe and who will remain about two months for the premiere of "Major Barbara," said he would continue to produce Shaw plays exclusively. He expects to produce two a year for United Artists' release. His next will be "The Doctor's Dilemma," to be produced in England if the war continues, or "The Devil's Disciple," which would be produced in Hollywood if the war ends this year. The latter could not be made in England under wartime conditions, he said, and, since he is loath to leave England while the war continues, "Dilemma" would be his choice for work there.

British Studios Working

Despite the difficulties of wartime production, all British studios are operating, Pascal said. He reported that RKO is making two at Denham, Anglo-American Films one at Denham and one at Elstree; Michael Balcon, one at Gainsborough and one at Ealing; Warners are active at Teddington and Paramount will soon have one in work at Denham.

Pascal reported that despite the fact that production is not stopped unless studio "spotters" warn of bombing planes directly overhead, rather than merely in the vicinity of the studio, delays are serious in both time and money. Shooting schedules seldom can be adhered to and further complications arise when actors and technicians "borrowed" from the service exhaust their leave before a picture is finished.

Expect Crisis

England expects the "crisis" of the war in two months, he said. If it survives the concerted attack, he predicted that 30 pictures could be completed there this year.

"I do not believe in the 'star' system," he said. "It is a convenient, commercial device but a hoax on the people. Ultimately, they will have to be given more than that."

Macy Gets Ryan's Regent Board Post

ALBANY, Feb. 4.—The New York State Senate and Assembly, in joint session, today elected Kingsland Macy of Suffolk County to succeed George J. Ryan at the expiration of the latter's term as a member of the Board of Regents on April 1.

Ryan, nominated for reelection, has been a member of the Regents' Committee viewing films on censor board appeals. The separate vote was 28 to 11 in the Senate and 80 to 44 in the Assembly.

Schine Party Feb. 14

ROCHESTER, Feb. 4.—Louis Levitch of the Riviera; Robert Meagher of the Lake, and Sam Shafer of the Dixie are in charge of arranging a Valentine's party to be held by Schine employes in the Madison Ballroom here, Feb. 14.

And Snow Besides

Wilkes-Barre, Pa., Feb. 4.—An estimated 15 per cent of the population in this area is reported stricken in an epidemic of colds and grippe. This, coupled with an unusual heavy snowstorm, had a serious effect on the box-office. Nearby Hazleton and Scranton also were hit by similar conditions. In Hazleton the schools were closed for a few days.

Warner Executives Attend Ampa Lunch

Warner executives will attend the Ampa luncheon meeting in the Sun Room of the Hotel Edison tomorrow, when Joseph Bernhard, general manager of Warner Theatres, will be the chief speaker.

The executives expected to attend include: Gradwell L. Sears, general sales manager; Clayton Bond, chief film buyer for the circuit; Carl Leserman, assistant to Sears; Harry Goldberg, in charge of advertising and publicity for Warner Theatres, and Sam Schneider, home office executive. Mort Blumenstock, in charge of Warner advertising and publicity in the East, will introduce Bernhard, who will speak on the importance of the work of advertising and publicity men in the industry.

'Street' Field Drive

Universal is conducting a field campaign for "Back Street" and "Buck Privates" in 25 key cities. A new department has been created in the home office to supervise the program.

To
LOS ANGELES

Thru Mainliner Sleepers
No Change of Planes

The Continental. Lv. 5:10 pm with morning arrival in Los Angeles.

The Overland Flyer. Lv. 11:10 pm with daylight for the scenic western portion of the trip.

Reservations: travel agents, hotels or

UNITED Air Lines
Airlines Terminal: 80 E. 42nd St.
67 Wall St. 649 Fifth Avenue
Pennsylvania Hotel
Ph MU-2-7300

"Back Street"

[Universal]

(*Continued from page* 1)

into the hearts of the audience, which should go far toward insuring success at the box-office.

Perhaps it is in theme and execution a picture most readily acceptable to the film-going tastes of the feminine element. But at the same time there is much for the masculine patron, and in any case, with the women sold, the picture is sold.

Bruce Manning, who produced, and Robert Stevenson, who directed, have seen to it that there is much of lightness, especially in the opening sequences, when Miss Sullavan, independent-spirited girl in the Cincinnati of the '90's, rides in Richard Carlson's first horseless buggy, jokes with Frank McHugh, the drummer, and falls in love with Boyer, who is passing through.

Their love is beset by mischance, as Miss Sullavan's attempt to reach Boyer's boat, on which he planned to marry her, is thwarted. They meet five years later in New York, where Boyer is a successful banker and married. The old love is rekindled brightly. For years she is his second life, unable and unwilling to give up the great love they have for each other. When he is gone for months, she decides to marry Carlson, but meets Boyer again, and loses her resolve.

Many more years pass, still greater success comes to the international banker of repute, and still Miss Sullavan is his second companion. In France, his son, Tim Holt, upbraids Miss Sullavan for her persistence, and Boyer comes upon them. The boy refuses to understand, and Boyer, broken, suffers a stroke and dies. Her purpose in life gone, Miss Sullavan follows him, a picture of what might have been, save for mischance, coloring her final vision.

Here is a perennial story of a pattern of life, told with sincerity and the power of the screen medium.

Running time, 89 minutes. "A."* CHARLES S. AARONSON

---

* *"A" denotes adult classification.*

Canada War Films Widely Distributed

OTTAWA, Feb. 4.—The story of the British Empire's war effort is being carried literally around the world through pictures produced in Canada under the supervision of the Canadian National Film Sound, officials declare.

Commentaries accompanying the films are in English, French, Malayan and Greek and any other language required in the world distribution of the subjects.

After the series, "Canada Carries On," have been shown on the usual theatrical basis in about 900 Canadian theatres, 16 mm. prints are made available for village halls, at local meetings and even for the home.

In the United Kingdom the series is said by officials to have been shown in about 1,000 theatres, as well as in 600 to 800 houses in Australia and New Zealand.

When any one of these subjects is completed, the negative is made available to American newsreel companies, for clips to be inserted in the current American newsreel releases. The Dominion's subjects are made for the operations of G. H. Lash, Director of Public Information of Canada. Virtually all phases of Canada's war activity are treated or will be treated in the film subjects.

Litigation Closes House

CLIFTON SPRINGS, N. Y., Feb. 4.—Palace Theatre here has been closed by Nickolas Raffay, manager, because of litigation over sound equipment. The equipment, according to Raffay, was bought some time ago on a contract, the lessee of the house agreeing to pay a set amount each week. There were defaults on a number of the payments by a former lessee.

Rival Unions Settle Battle in Scranton

SCRANTON, Pa., Feb. 4.—After representatives of the CIO and AFL operators' unions announced an agreement which leaves unionization of operators in the Scranton region in the hands of the AFL, R. A. Lesaius, owner of the Bulls Head Theatre in North Scranton, through his attorney announced that the termination of the contract between Lesaius and the CIO unit will have no standing in law.

The agreement on jurisdiction was revealed to President Judge Will Leach of the Lackawanna County Court by the CIO regional counsel on a hearing of a motion to make permanent a temporary injunction restraining AFL members from picketing the Bulls Head. The CIO attorney announced that the CIO had revoked its contract with Lesaius and had appointed an administrator to terminate all existing agreements between the union and the theatre management.

Paramount Plans 3 New Sound Stages

HOLLYWOOD, Feb. 4. — Paramount has announced plans to build three modern new sound stages and a power house on the lot here. However, the company is holding to the original plans for the construction of a $15,000,000 studio in Westwood.

Utica Party Feb. 10

UTICA, Feb. 4.—Warner Zone Manager M. A. Silver and District Manager Charles A. Smakwitz of Albany will be guests of honor at the anuual Valentine dinner-dance of the Utica Warner Club at the Hotel Martin here Feb. 10. Heading the entertainment committee is Tony Dapic.

'Back Street' Gets Glittering Opening At Florida Resort

(*Continued from page* 1)

of the premiere. About 3,000 or more were successful in obtaining the treasured ducats, which were sold at $1.55 and $2.20 each.

For four days and nights, th[illegible]ting press, many of whom were [illegible] a film junket for the first time, and were otherwise also experiencing their first visit to these sub-tropical shores, were dined and feted almost everywhere, at the beaches, hotels, fashionable eating places and the night clubs. The celebration was almost like a "Cook's Tour" garnished with caviar and champagne. It has been the kind of a celebration which the boys and girls of the press probably will long remember and which should bring Universal great goodwill for a long time to come. Many of the press came with their wives; all were accorded every comfort and pleasure.

The party altogether probably cost Universal about $20,000, it is estimated. In excellence of execution and entertainment it outranks all others. Some of the boys and girls were a little "ga-ga" about the lavishness of the accoutrements furnished them, from swimming to golf, sightseeing and horse racing, besides night club amusement. All, however, took the affair in proper stride, so far as could be noticed.

Officials Present

The presence of such high ranking officials as Matthew Fox, Charles Prutzman, Frank McCarthy and William Heineman, together with John Joseph, helped the ticket situation. It seemed that everybody from Miami to Palm Beach and Coral Gables had made a request for premiere tickets, after the theatres were already sold out.

At tonight's premiere, Deanna Durbin, youthful feminine star of Universal, shared gala honors with the press. She was the only studio "name" brought down here for the occasion. Among the scribe stars who came from far and near were several newspaper editors, in addition to critics, feature writers, and those of the trade press.

Mayor John Levi headed the array of civic and governmental leaders and tonight kleig lights glared, flags waved and trumpets blared as the town gave forth a two-mile parade, with the Miami Boys' Band leading, just prior to the opening. In front were a crew of Universal experts such as John Joseph, Milton Crandall, George Thomas, Louis Pollock, Gene Murphy and Ruth Morrow.

In attendance at the opening, besides the official guests were many persons of the trade who are here on business or vacation. Among these were Tom Connors, Eastern, Southern and Canadian division manager of M-G-M; A. H. Blank, Major Albert Warner, N. L. Nathanson, Charles Kessnich, Southern district manager of M-G-M; M. A. Silver, Warner Theatres executive; Max A. Cohen, president of New York Allied; M. B. Shanberg, George Dembow, Ed Sherman, Arthur Lee, Willard McKay, Otto Brower, Ottavio Prochet, Sonny Shepherd. Also, Ted Husing, Ruby Cowan and George Ade.

Step into the Quigley Bookshop

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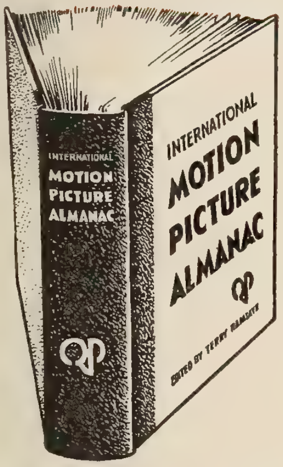
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QP
Edited by Terry Ramsaye

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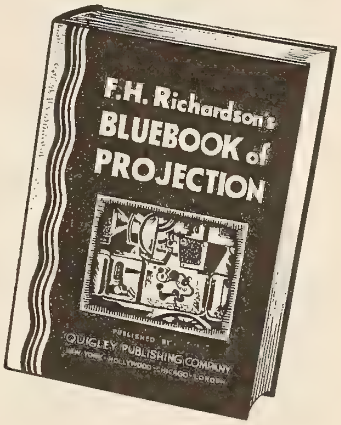
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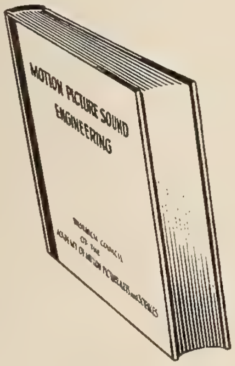
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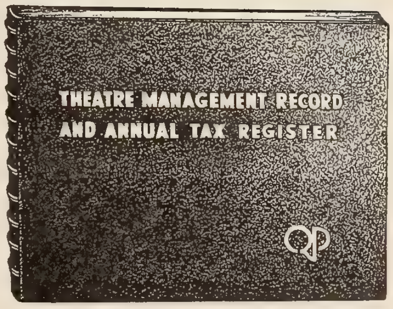
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QP

Theatre Management Record is the most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. .... **$2.00** POSTPAID

AIR CONDITIONING
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Charles A. Fuller

A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. .... **$4.00** POSTPAID

QUIGLEY BOOKSHOP

ROCKEFELLER CENTER, NEW YORK

1,800 Children Programs Are Aired Weekly

There are approximately 1,800 children's programs on the air each week, it was reported yesterday at a joint conference of women's and other organizations interested in this type of broadcasting. The survey was made by Mrs. Dorothy Lewis for the Radio Council on Children's Programs, and the National Association of Broadcasters.

About 12 per cent of the nation's stations use no children's programs and about eight per cent of the remainder rely solely on networks for this type of broadcast, it was reported. Mrs. Lewis declared that the survey revealed a good opportunity for new children's programs based on true events in American history, and comedy shows tuned to the level of child listeners. The most popular at present, she said, was the talent shows in which the children themselves participated.

She recommended that a greater use be made of recordings to permit shows now broadcast at 6 P. M. in the Eastern Time Zone to be heard at the same time on the Pacific Coast where they are now heard at 2 P. M.

Mrs. Lewis revealed that sponsors are now making studies to lift the level of children's programs and that General Mills had donated $4,000 to the University of Iowa to conduct research in this field.

SAG Orders Actors Ban Parsons Show

HOLLYWOOD, Feb. 4.—The Screen Actors Guild today issued instructions to its Class A members to refuse to appear on a proposed Louella O. Parsons radio show for Lifebuoy "unless such refusal jeopardizes the contractual relations with employing producers."

The new Parsons show would be a half-hour program on CBS, handled by the William Esty agency. The decision to send the message to members was taken at a meeting of the guild board of directors last night. The communication, pointing out that the question of "free talent" radio shows again has become an important issue to actors, declared that approval for the Parsons show was refused.

The program plan, it was said, called for paying the actors on the commercial show a payment equal to the A.F.R.A. minimum, but far less than the usual fee such actors would get on a radio program. The letter concluded: "Acceptance of compensation so far below members' usual standard as to amount to evasion of this rule (forbidding free radio performances) shall constitute a violation of the rule."

Increase Contribution

PHILADELPHIA, Feb. 4. — Ted Schlanger, Warner Theatres zone chief here, announced that the circuit's donation to the United Charities Campaign now in progress here has been increased from $1,000 in 1940 to $2,500 this year.

Off the Antenna

BELIEVING that the television pictures demonstrated to the FCC last month "were not representative of what can be obtained with transmissions" on standards of 625-lines, 15 frames per second, Allen B. DuMont yesterday announced that on Wednesdays and Fridays from today until the FCC television hearing on March 20 he will give further demonstrations on those standards. DuMont is hopeful of inducing National Televisions Systems Committee members, FCC members and others who saw the first demonstration to return for another look.

• • •

Purely Personal: *Wilfred S. Roberts, NBC eastern production manager has promoted two of his staff to act as his assistants. They are Joseph S. Bell, who will handle dramatic shows, and George Maynard, music. Charles Schenck who used to be with the NBC Chicago office, also has joined Roberts' staff . . . Frank Lepore, NBC stage manager for the television department, will join Film Unit No. 1 at the Signal Corps school at Fort Monmouth, N. J., Tuesday. He will be commissioned as a second lieutenant . . . Raymond Paige is studying Pan-American music in Havana as guest of Jose Sanchez . . . G. W. Johnstone, radio director for the Democratic National Committee, who has just completed his work as radio chairman for the Committee for the Celebration of the President's Birthday, will leave this morning for a Florida vacation. Upon his return, he will take over the radio duties for the Jackson Day dinners . . . Mary Dunlavey has been promoted to assistant time buyer at Erwin, Wasey & Co.*

• • •

The first short wave program over NBC's stations to emanate from Chicago will be broadcast tomorrow night when the Export Managers Club holds its annual dinner at the Hotel Stevens. Wayne Chatfield-Taylor, undersecretary in the Department of Commerce, will make the principal address and there will be 30 minutes of music in addition to 30 minutes of speeches.

• • •

Program News: "The Missus Goes A-Shopping," a record program of interviews in grocery shops, will be sponsored by Pepsi-Cola Co. over WABC, Mondays, Wednesdays and Fridays at 8:30 A.M. beginning Monday . . . Burns & Allen will start broadcasting from New York beginning Monday for five weeks . . . General Foods has renewed sponsorship of "Symphony Hall" over WQXR, Wednesdays, 8-9 P.M. . . . "Labor Arbitration" will be heard Thursdays at 8:15 P.M. beginning tomorrow over WMCA.

'Wind' with $21,000 High in Pittsburgh

PITTSBURGH, Feb. 4. — Holdovers withstood snow, flu, and soot storms. "Gone With the Wind" took $21,000 in its second week at Loew's Penn, and "This Thing Called Love" grossed $6,000 in its second at the Harris Senator.

Estimated takings for the week ending Jan. 30:

"Dr. Kildare's Crisis" (M-G-M)
FULTON—(1,700) (28c-44c) 7 days. Gross: $3,100. (Average, $4,500)
"Gone With the Wind" (M-G-M)
LOEW'S PENN—(3,400) (40c-55c) 7 days, 2nd week. Gross: $21,000. (Average, $13,000)
"Thief of Bagdad" (U.A.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $2,800. (Average, $3,000)
"This Thing Called Love" (Col.)
SENATOR—(1,800) (28c-39c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $5,000)
"Second Chorus" (Para.)
STANLEY—(3,600) (28c-44c-66c) 7 days. On stage: "Streets of Paris." Gross: $21,000. (Average, $17,000)
"No No Nanette" (RKO)
"Little Men" (RKO)
WARNER—(2,000) (28c-39c-55c) 7 days. Gross: $4,800. (Average, $5,000)

Sue on Song Recording

Columbia Recording Corp., John Hammond, and Joshua White were named defendants yesterday in a suit for an injunction and damages, filed in the U. S. District Court by Lawrence Gellert. Defendants are charged with unauthorizedly recording the plaintiff's song, "I Hear Danger Singing."

Add 'Fantasia' Shows

Beginning Saturday, additional showings of "Fantasia" at the Broadway will be held at 10:30 A. M. on Saturdays and at 5:30 P. M. on Sundays. Also effective on that date, children under 16 will be admitted for half price.

F.C.C. Advises on Frequency Shifts

WASHINGTON, Feb. 4.—The Federal Communications Commission today sent notices to each of the 795 broadcasting stations whose frequencies will be changed March 29 as a result of the North American Regional Broadcast Agreement, apprising them of the channels on which they will thereafter operate and giving them a last opportunity to protest any assignment deemed disadvantageous.

Under the agreement all stations must shift their frequencies simultaneously at 3 A.M., E.S.T., March 29. No action will be taken with respect to applications for renewal of licenses under the new assignments before March 1, it was announced, because of the law's prohibition on the granting of renewals more than 30 days prior to the expiration of licenses.

Gehring to Conduct Meetings on Decree

William C. Gehring, Central division manager for 20th Century-Fox, leaves today to conduct meetings at the Chicago and Minneapolis branches on sales policies under the consent decree.

Similar sessions are being held in various branches by executives of the major companies which are parties to the consent decree, to acquaint the sales staffs with the terms of the decree.

Local 306 Plans Benefit

Local 306 of the operators' union will hold a party, featured by entertainment and dancing, next Tuesday at the Manhattan Center, 34th Street and Eighth Avenue, for the benefit of the sick fund of the union.

Mutual's January Gross Is $505,231

Mutual billings for January were $505,231, an increase of 59 per cent over the same month last year when they totaled $317,729.

CBS and the two NBC networks have discontinued release of gross billings and the National Association of Broadcasters, which was to release figures showing un[illegible] of time sponsored on the [illegible] has not completed its first tally.

Five New Accounts For CBS in Month

CBS in January had five new accounts signed, four renewals and no cancellations. The new accounts include Armour Co., Magazine Repeating Razor Co., Wrigley Co., which added 15 minutes for a new show in addition to the half-hour "Melody Ranch" which it also sponsors, and two additional new programs, details of which have not yet been released.

The five new sponsors will use a total of 150 minutes. Renewals include "Melody Ranch," by Wrigley; "Johnny Presents," by Philip Morris; and "Your Hit Parade" by American Tobacco. U. S. Tobacco Co. has also renewed its time but will replace "Pipe Smoking Time" with "Gay Nineties Revue" on Feb. 24.

Network officials pointed out that of the 150 minutes, 105 will be used by programs predominantly musical on the new shows. All the renewals are musicals. This fact was cited to show that the Ascap squabble has had no effect on obtaining new contracts. In January, 1940, only two quarter-hour shows were sold and neither of these was predominantly musical.

Toronto Winner Is 'Wind' With $13,500

TORONTO, Feb. 4.—"Gone With the Wind," in the first week of its popular price run at Loew's, accounted for $13,500. "This Thing Called Love" grossed $11,800 at the Imperial. The weather ranged from fair and moderate to blizzard and zero.

Estimated takings for the week ending Feb. 2:

"This Thing Called Love" (Col.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $11,800. (Average, $9,000)
"Gone With the Wind" (M-G-M)
LOEW'S—(2,074) (25c-40c-50c-75c) 6 days. Gross: $13,500. (Average, $9,000)
"South of Suez" (W.B.)
"Glamour For Sale" (Col.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $6,500. (Average, $7,500)
"Love Thy Neighbor" (Para.)
"East of the River" (W.B.)
TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $2,800. (Average, $3,900)
"Hudson's Bay" (20th-Fox)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $11,000. (Average, $9,000)

Settle Universal Suit

Suit of Producers Laboratories, Inc., against Universal Pictures Company, Inc., Big "U," Inc., and Roxy Theatre Corp. in the New York Supreme Court was settled and discontinued yesterday on undisclosed terms. Plaintiff had sought an injunction and damages against the defendants claiming that Universal's film, "Hired Wife," infringed upon an identical title of one of plaintiff's films.

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'U' May Start '41-'42 Selling In Few Weeks

Regional Meets Follow Chicago Convention

Universal salesmen may be in the field with new season's contracts before March 1, establishing the earliest start of a selling season under the present distribution system, it was learned yesterday.

Following the company's three-day national sales convention starting Saturday at the Drake Hotel, Chicago, for the district and branch managers, regional meetings probably will be held for the Universal salesmen throughout the country.

No final decision has been made yet, but if such regional meetings are held they would not consume a great deal of time. Present intentions contemplate the division of the country into three territories for such regional meetings, with William A. Scully, vice-president and general sales manager conducting the sessions in one territory, F. J. A. McCarthy, Eastern sales manager, handling another, and William J. Heineman, Western sales manager, the third.

In this way, the ground could be covered in one week, if necessary, and salesmen could be at work on the 1941-'42 lineups before the end of February.

Universal will announce the new season's product lineup to the district and branch managers at Chicago on

(*Continued on page* 5)

Canadian Industry Facing New Taxes

Toronto, Feb. 5.—The Canadian Government, through the Department of Finance, has hinted that the field of taxation hitherto restricted to the provinces will be invaded in the forthcoming budget measures as a move for additional revenue for war purposes. There are only a few taxation items which are strictly provincial in scope and one of these is the amusement tax, which has been collected in all provinces but Ontario and Saskatchewan. There is conjecture, therefore, on the part of theatre operators and the public as to the steps that will be taken by the Federal Parliament when the next wartime budget is brought down in March.

Intimation is also forthcoming that

(*Continued on page* 5)

Rehearse Blackout In Toronto Feb. 12

Toronto, Feb. 5.—Rehearsal blackouts have been ordered by Air Raid Precautions authorities in three sections of Toronto for the evening of Feb. 12 in conjunction with the current War Savings Stamp Drive. Numerous theatres are in the outlined districts and the managers have indicated a willingness to cooperate.

Films Commission, Credit Bank Are Ready in England

London, Feb. 5.—The plan for a British Government Films Commission, originally proposed last year and then shelved, has been revived.

The commission would have plenary powers and virtually control the industry and its operations. Included in the plan is a credit bank, with a Government grant of £500,000 (approximately $2,000,000).

The president of the British Board of Trade told industry representatives today that the Government intends to put the plan into effect at an early date. Details have been completed, and it is intended to have a governing body of three members, only one of whom will be a trade representative.

It is understood that the Board of Trade is concerned over the decrease in British production and has been impressed by the recent plea of exhibitors for a cut in the exhibitors' quota. Nevertheless, Harry P. E. Mears, president of the Cinematograph Exhibitors Association, has opposed the entire idea of Government control. Mears will report to the general council of the C.E.A. at a meeting next week.

GOVERNMENT FILES SUIT AGAINST ASCAP

Arnold Says Settlement Of Action by Decree Is Still Possible

Washington, Feb. 5.—The long-threatened Government criminal information against Ascap was filed in Federal District Court at Milwaukee today.

Simultaneously, Thurman W. Arnold, Assistant U. S. Attorney General, in a statement issued here, made it clear that a consent decree settlement of the action still is possible.

"Our proceeding is aimed only to compel Ascap to stop the practices complained of," Arnold said. "Therefore, the Department will continue to hold the door open to proposals from Ascap which will eliminate the abuses. It does not desire to prevent Ascap from protecting the copyright privileges of its members."

Gene Buck, Ascap president, declared that the society "has always been willing and desirous of making any just and reasonable change in its method of operation." He added that "The society, of course, does not wish to operate in violation of the law but be it remembered that throughout our long history a great many courts—both State and Federal—have held that Ascap was functioning in a lawful manner."

"The Department of Justice," Buck continued, "has just assured our so-

(*Continued on page* 5)

Money Arbitration Hearing on Monday

Arbitration hearings on the method of allocating currency withdrawals from England among the eight major companies under the current monetary agreement are scheduled to begin next Monday. Efforts to agree on an allocation method without recourse to arbitration, which were attempted during the past few weeks, were unsuccessful.

Milton Handler, downtown attorney and Columbia University professor, has been designated sole arbiter of the disagreement, which has M-G-M on one side and the other seven major companies opposite. Handler's decision, which will be final, is hoped for by the end of the month.

The M-G-M contention is that the allocations of the British currency withdrawals this year should be based on net business in England of each company. The other seven companies, although several of them express indifference as to the outcome of the arbitration, favor allocation of the money withdrawn on the same percentage basis employed in dividing up the $17,500,000 withdrawn from Britain last year. Those percentages were based on a three-year average of each company's gross British business.

By the time the arbitrator's award is expected, the eight companies will be entitled to withdraw approximately $6,000,000 of the $12,900,000 remittable from England this year. The allocation of this amount among the eight companies then would be made in accordance with the arbitrator's finding.

I. T. O. A. Will File Test Series Of Proceedings Under Arbitration

The I.T.O.A. of New York voted yesterday to start a series of arbitration proceedings to experiment with the workings of the arbitration provisions of the consent decree. The meeting expressed the opinion that the organization and its membership should regard the decree in its most favorable light and give it a fair trial.

I.T.O.A. members will be convassed to determine which exhibitors have specific complaints and their grievances will be culled to bring a series of proceedings on the various complaints permitted to go to arbitration under the decree. Other items discussed yesterday were film buying, giveaways and admission scales but no decision was reached.

Disney Four-Month Profit at $140,000

Hollywood, Feb. 5.—A net profit of $140,000 for the first four months of the current fiscal year for Walt Disney Productions was announced last night at the annual meeting of stockholders. Walt Disney was reelected president and all directors were also reelected.

George E. Morris, secretary, reported that the company had produced and delivered nine shorts in the first four months as against a total of 10 in the entire 1940 fiscal year. This year's program calls for 20 shorts, he said. Four additional units for "Fantasia" and Fantasound equipment have been ordered and installations will be

(*Continued on page* 5)

Warner Ad Wins High Study Rating

According to an advertising report prepared by Daniel Starch, advertising consultant, a full-page Warner ad on "The Letter," appearing in the December issue of *Cosmopolitan*, rated first among 52 ads based on "seen," "read some" and "read most" classifications for men and women readers. The ad was prepared by Mort Blumenstock, in charge of Warner advertising and publicity in the East.

Academy Nominates 10 for Short Awards

HOLLYWOOD, Feb. 5.—The Academy of M. P. Arts and Sciences today announced the nominations for its three divisions of short subjects awards. The judging will take place Feb. 12.

Listed in alphabetical order, the nominations were: Cartoons, "The Milky Way" (M-G-M), "Puss Gets the Boot" (M-G-M), and "A Wild Hare" (Warners). In the one reel classification, four were named because of a tie. They were "London Can Take It" (Warners), "More About Nostradamus" (M-G-M), "Quicker'n a Wink" (M-G-M) and "Siege" (Pathe). In the two reel classification were "Eyes of the Navy" (M-G-M), "Service With the Colors" (Warners) and "Teddy, the Rough Rider" (Warners). Of the 10 nominated, M-G-M had five named, Warners, four, and Pathe, one. Walt Disney did not enter the competition.

Final judging will be done at the Disney studio theatre by members of the Academy board of governors and the awards rules committee. This will mark a departure from previous years when the judging committee was chosen from various studios and Academy branches.

Bill in Conn. Would Regulate All Games

NEW HAVEN, Feb. 5.—Exhibitors as a whole are not showing much interest in state legislation this session. However, they are interested in the bill providing for a new commission to regulate and control chance games in the state, and another before the Senate providing for games after 2 o'clock on Sundays, on application. Games are permitted on local option for religious and civic groups only, and are some competition to theatres in various parts of the state.

Another bill would require Ascap to pay a license fee in the state. A state tax bill on amusements, much feared by exhibitors since a similar bill was defeated in 1937, has not been filed. A bill is on record which would fine or imprison operators of hotels, motion picture and other theatres, and other public places of amusement discriminating against any race or color.

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ALTEC
SERVICE CORPORATION
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Personal Mention

BARNEY BALABAN, Paramount president, will leave on Feb. 14 for a vacation of several weeks in Florida.

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EDGAR A. NEAL, manager of the Capitol in Woodstock, N. B., has been reelected to the Council of the border town.

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CHARLES WILSON, operator of the Bijou and Lansing, Troy, N. Y., leaves March 1 for a Florida vacation.

•

JOHN CHRISTIE of the Strand in Watervliet, N. Y., is recovering from pneumonia.

•

B. E. HOFFMAN, Warner Theatres executive in New Haven, has been reelected to the board of the New Haven Jewish Family Service.

•

LEO POSEL, Philadelphia independent circuit operator, has been named head of the annual campaign of the Deborah Jewish Tuberculosis Society in Philadelphia.

•

JACK MCNEILL, former Warner Theatres publicity man in Philadelphia, is the father of a son, born a few days ago at Temple University Hospital.

•

NORMAN ELSON, sales manager for Film Alliance of the U. S., leaves today on a visit to a number of cities. He will be gone about 10 days.

•

CHARLES M. REAGAN, OWEN DAVIS, J. J. UNGER, E. K. O'SHEA, LEON NETTER, EDWARD SAUNDERS and MILTON KUSELL having lunch at Nick's Hunting Room in the Astor yesterday.

•

JOHN D. HERTZ, JR., DAVID WESHNER, TOM FIZDALE, AL SHERMAN, LOUIS LIPTON, JOHN BYRAM, PHILLIP OWENS, DENNIS KING, GEORGE HALE, OTTO PREMINGER, WILLIAM JOHNSTONE, DAVID LOEW, ARTHUR LOEW, MORT SPRING and VINCENT TROTTA, at Sardi's yesterday for lunch.

MURRAY SILVERSTONE, CHARLES SCHWARTZ and MONROE GREENTHAL are expected from the Coast Monday following studio conferences at United Artists.

•

MEL RAINEY, secretary to DAVID WALLERSTEIN, division supervisor for Balaban & Katz in Chicago, has volunteered for Army service, and will go to Camp Custer in Michigan.

•

GOLDE DAVIDSON of the publicity department of Balaban & Katz in Chicago will be married April 5 to ALLAN J. COPELAND, employed on the Chicago *Tribune*.

•

SAM GOLDBERG, IRVING SHAPIRO and SEYMOUR POE at Lindy's (next to the Rivoli) for lunch yesterday.

•

ROBERT WEITMAN, GEORGE BURNS, BENNY FIELDS and J. J. MILSTEIN lunching at Lindy's (51st St.) yesterday.

•

RICHARD COHEN, program distributor in New Haven, is the father of a son, named PETER IRWIN, born at Grace Hospital, New Haven.

•

HARRY ROSE, manager of the Globe in Bridgeport, Conn., in confined to Bridgeport Hospital with a kidney ailment.

•

VERNON BURNS, assistant at the Bijou, New Haven, is on a six-month leave of absence in Toronto, while MICHAEL PICCERELLI handles his duties.

•

MARY T. MCDONNELL was married to HAROLD R. BRAZILL, projectionist at the Bell Theatre in Scranton, Pa., recently.

•

HOWARD SCHAEFFER has been named assistant manager of the Feeley Theatre in Hazleton, Pa. He formerly was an usher at the Capitol.

•

DAVE O'MALLEY, HANK LINET, JEFFREY BERNERD and JERRY KAISER lunching at the Tavern yesterday.

Grainger En Route To Coast Parleys

James R. Grainger, president of Republic, left last night by plane for the Coast, with stops scheduled in Cleveland, Indianapolis, Chicago, Milwaukee, Minneapolis, Seattle, Portland, Ore. and San Francisco, arriving at the studio on Feb. 20 to discuss production and sales plans for the 1941-1942 season.

Following Grainger's arrival at the studio, definite dates will be set for a series of regional sales meetings to be held at Los Angeles, Kansas City, Atlanta and New York.

Mexico Grind House Sold

MEXICO CITY, Feb. 5.—The first continuous run film house to be opened in Mexico, the Cinelandia here, which specializes in shorts, has been sold by its owner and founder, Arcady Boylter, Russian who also produces, to a company of Spanish refugees. The new company is to continue the "grind" policy to the Cinelandia.

Sues Over Patent

Suit to compel the surrender of a patent on a film projection machine was filed yesterday in N. Y. Supreme Court by Russell Goldman against Harry Gordon and Samuel K. Lackoff. Plaintiff claims that the patent was perfected while the defendants were in the plaintiff's employ. A counter-claim of $10,000 has been interposed by the defendant.

See Films on Appeal

ALBANY, Feb. 5.—A subcommittee of the N. Y. State Board of Regents tomorrow will screen "Kidnapping Gorillas" on censor appeal by Jewell Productions, and "Life on the Hortobagy", on appeal by Eureka Productions.

Delay Levy Dinner

PHILADELPHIA, Feb. 5.—The local Variety Club has postponed until March 15 the formal dinner dance to be tendered Dr. Leon Levy, the new chief barker. Originally scheduled for Saturday, the date was shifted until Dr. Levy returns from Florida.

Union Battle Stymies Mexican Producing

MEXICO CITY, Feb. 5.—The "war" between Mexican producers and Enrique Solis, secretary general of the producers section of the National Cinematographic Workers Union, has brought production in this country virtually to a standstill.

Many performers, who have been devoting the greater part of their time to screen work, have had to [illegible] to the stage and radio since the [illegible] caused the curtailment of film production.

Solis, who has been attacked repeatedly by the producers as manipulating the business for his own purposes, has called a strike against Jesus Grovas, leading Mexican producer. Grovas, who was Paramount manager here before starting in production, refused Solis' demand that he hire four extra helpers at a wage equivalent to $5.25 daily for each. Grovas contended he did not need the helpers. The wage demand he called excessive, in any case. Thus far, the Federal Labor Department has taken no action on the protest of the producers' association against the strike.

Dallas Variety Club To Equip Eye Clinic

DALLAS, Feb. 5.—The local Variety Club has voted to equip the Eye Conservation Clinic of the Freeman Memorial Clinic for underprivileged children. The equipment is estimated to cost about $1,000. Paul Short is chief barker of the club.

Deanna Durbin will be honor guest at the club's first annual Ladies' Day luncheon on Monday at the Adolphus Hotel. Judge Sarah T. Hughes of the 14th District Court will be the chief speaker. The wives of local film executives are expected to attend.

Milton Simpson Dies

TORONTO, Feb. 5.—Milton B. Simpson, who joined the O'Brien Theatre, Almonte, Ont., 28 years ago as projectionist and became the manager of the house, is dead at his home at Almonte at the age of 56. He is survived by his wife and three children.

Sanford Delaney Dead

TORONTO, Feb. 5.—Sanford Delaney, owner of the Delaney Theatre at Gananoque, Ontario, died there after a prolonged illness. He has been the proprietor of the theatre for 30 years.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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There's dough in every frame of
'Strawberry Blonde'!

We know because we saw it! *You'll* know the second you see it! Hooray for CAGNEY (SO COLOSSAL)**! Huzzah for De HAVILLAND! Hosannas for RITA HAYWORTH! And a loud Wa-Hoo for WARNERS!**

JAMES CAGNEY and
OLIVIA de HAVILLAND
in *THE STRAWBERRY BLONDE*
with Rita Hayworth and
ALAN HALE · JACK CARSON
GEORGE TOBIAS
Directed by RAOUL WALSH
creen Play by Julius J. and Philip G. Epstein
From a Play by James Hagan
A Warner Bros.-First National Picture

Showmanship Flashes . . .

Mayor's Proclamation Features 'Wind' Plug

WATERBURY, Conn., Feb. 5.—The proclamation by Mayor Scully of "Gone With the Wind" week in the city was the outstanding feature of the exploitation campaign on the film, which won an honor roll button from M-G-M for Ed Fitzpatrick, manager of the local Poli. Other features of the campaign included special invitation from the Junior League, a special six-foot pass carried to the mayor, and bargain days for shoppers in tieups with the theatre.

Art Contest Features Selling of 'Nanette'

DALLAS, Feb. 5.—*An Anna Neagle art contest featured the campaign arranged by the management of the Rialto here for "No, No, Nanette." The contest, open to all art sudents in the high schools and Southern Methodist University, was sponsored by the Rialto and the Dallas "News" and "Times-Herald." The theatre furnished all art classes with large stills or blowups of Anna Neagle which were used as models or copying mediums by the contestants.*

Bakery Tieup Effective For 'Kitty Foyle' Date

PITTSBURGH, Feb. 5.—A tieup with Braun Baking Co. by Martin Burnett, Loew's Penn manager, had 800 grocery stores distributing cards on "Kitty Foyle." On one side the card lists Ginger Rogers' physical measurements and asks readers to compare with hers. On the other side of the card, the reader is informed about prizes to be given by theatre and baker for writing, in 25 words or less, "Why you agree with Ginger Rogers when she says, 'For a better figure tomorrow, eat Roman Mean Bread today because.'"

'Schineograms' Announce Houses' Policy Changes

Rochester, Feb. 5.—When the Schine Circuit's Liberty and State shifted the playing date policy, they had Postal Telegraph boys deliver "Schinegrams" to theatre patrons announcing the policy change along with coming attractions.

Newspaper Tests Stir 'Wind' Interest

CLEVELAND, Feb. 5.—A double-barrelled newspaper contest was used by Loew's State to boom the reopening of "Gone With the Wind." The *News* offered prizes for the best 100-word letters describing favorite scenes of the picture. The *Plain Dealer* also offered prizes for the best essays on: "Why you should like to see 'Gone With the Wind'?"

Model Airplane Contest Used for "Flight Command"

FREELAND, Pa., Feb. 5.—Manager Herman Hirschhorn of the Refowich Theatre scored with a tieup for "Flight Command," with Freeland M.M.I. School, Freeland Y.M.C.A. and local stores cooperating in a model airplane building contest. The contest received wide publicity in the papers and through displays.

Critics' Quotes . . .

"ARIZONA" (Columbia)

A movie on which has been expended much money, time and talent. It's a zestful, colorful production.—*Chicago Tribune.*

"Tops" as mine-run Westerns go . . . the story from the novel by Clarence Buddington Kelland is of sufficient interest in both its romance and its history to justify the faith Wesley Ruggles put into it to produce a "super-Western."—*C. J. Bulliet, Chicago Daily News.*

Evidences plenty of painstaking work and the expenditure of a lot of money. The result is very satisfying. It's a fine picture, expansive and entertaining.—*Merle Potter, Minneapolis Times-Tribune.*

The full canvas is as honest and acceptable a piece of Western folklore as the cinema cameras have yet recorded.—*Time.*

"SECOND CHORUS" (Paramount)

This musical is a fairly entertaining show that can be marked up several notches if you happen to like your swing music really in the groove.—*Newsweek.*

Mortals who are authentically hep will find "Second Chorus" a lavish gift . . . for the rest of us this comedy with music will seem merely an amiable entertainment.—*Providence Journal.*

A clever, sprightly and thorough diverting cinemusical, nicely balanced as to tunes, comedy, romance, settings and dancing.—*Donald Kirkley, Baltimore Sun.*

Spins a vapid fable about two friendly enemies . . . the yarn gives the film an excuse for some first rate swing music.—*Elsie Finn, Philadelphia Record.*

A tired and tiresome little effort which makes small use of such ingratiating players as Fred Astaire, Paulette Goddard.—*Mildred Martin, Philadelphia Inquirer.*

Perfect entertainment for the jitterbug and jive-artist.—*Philadelphia Daily News.*

"HUDSON'S BAY" (20th Century-Fox)

Plenty of exciting adventure is indicated, but neither thrilling action nor exciting suspense is allowed to interfere with Muni's long speeches, which have a tendency to retard the movement of the adventure.—*Kate Cameron, New York Daily News.*

A dull and wordy historical reconstruction.—*Howard Barnes, New York Herald Tribune.*

Any suggestion of the boldness, the hardship and peril that went into the founding of the Hudson's Bay Co. is lacking in this film.—*Bosley Crowther, New York Times.*

Substantial, if not memorable, entertainment.—*Gilbert Kanour, Baltimore Sun.*

"THE PHILADELPHIA STORY" (M-G-M)

Excellent writing and acting, as well as the beautiful production, make this more than just another slick drawing room comedy . . . It's only January, but here is one of 1941's best.—*Laura Lee, Philadelphia Bulletin.*

However delightful, "Philadelphia Story" was on the stage, it is, if possible, even better in its screen transcription.—*Mildred Martin, Philadelphia Inquirer.*

Better than it was on the stage.—*Henry T. Murdock, Philadelphia Ledger.*

"HONEYMOON FOR THREE" (Warners)

A good comedy even for those who have only a passing interest in its heroine.—*Neil Rau, Los Angeles Examiner.*

A farce of the broadest order. Occasionally bright diologue and a basically funny idea for comedy are helps in remodeled rumpus.—*Virginia Wright, Los Angeles News.*

A frothy, amusing farce and we cheerfully recommend it.—*Norman Clark, Baltimore News Post.*

Besides being a moderately enjoyable skylark about love and matrimony, "Honeymoon for Three" indicates that Ann Sheridan is justifying her press agents' ballyhoo by developing into a first rate comedienne.—*Gilbert Kanour, Baltimore Evening Sun.*

"FLIGHT COMMAND" (M-G-M)

Surprisingly good. Usually wary of pictures that are too topical or too timely, I found this one grand entertainment, in addition to being as fresh as front page news.—*Lee Mortimer, New York Daily Mirror.*

Comes to the screen at an opportune moment . . . Frank Borzage, who directed the film, has obtained some spectacular effects with the Hellcats in action and these air scenes are the most exciting parts of the film.—*Kate Cameron, New York Daily News.*

More effective psychologically than it might otherwise be . . . has enough excitement and authenticity about it to offset its uninspiring story.—*Robert W. Dana, New York Herald Tribune.*

Exciting for the youngsters, no doubt, but rather pulpy for a grownup's taste.—*Bosley Crowther, New York Times.*

The story is rather trite and bedecked with cliches, but the players and the airships lift it into the realm of good entertainment.—*Norman Clark, Baltimore News Post.*

"LOVE THY NEIGHBOR" (Paramount)

The famous, funny feud which cross-fires between Fred Allen and Jack Benny every Wednesday and Sunday night, has been transferred to the screen with highly hilarious results.—*Helen Eager, Boston Traveler.*

Even if you haven't kept track of the brickbats that the boys bounce through the airways, you'll find this gay and goofy farce pretty hilarious from the time the cast is flashed on.—*Joyce Dana, Boston Post.*

'Trail,' Show Pull $32,500, Philadelphia

PHILADELPHIA, Feb. 5.—In spite of rain, snow and cold, business for the most part was good. "Gone With [illegible] Wind" at the Stanley drew $2[illegible] The Earle, with "Trail of the Vigilantes" and vaudeville, hit $32,500 "Philadelphia Story" continued big at the Boyd with $22,500.

Estimated takings for the week ending Jan. 29-31:

"Road Show" (U.A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $5,300. (Average, $9,000)

"North West Mounted Police" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run, 2nd week. Gross: $3,800. (Average. $2,600)

"Philadelphia Story" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $22,500. (Average, $13,000)

"Trail of the Vigilantes" (Univ.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Erskine Hawkins' orchestra, the Four Ink Spots, Tip, Tap & Toe, Ida James and Jimmy Mitchell. Gross: $32,500. ($14,000)

"The Phantom Submarine" (Col.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Ceil Von Dell, Marcia, Rex Weber, Paddy Cliff, The Sophisticated Ladies and Emile and Eugene Nathane. Gross: $6,000. (Average, $6,900)

"Hudson's Bay" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $15,000. (Average, $13,000)

"Comrade X" (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,200. (Average. $3,000)

"Kitty Foyle" (RKO)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $4,900. (Average, $4,500)

"Gone With the Wind" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $27,000. (Average, $14,000)

"Tall, Dark and Handsome" (20th-Fox)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $5,200. (Average, $4,500)

'Maisie', Bradley $21,500 in Capital

WASHINGTON, Feb. 5.—With every other downtown house playing holdovers or return engagements, Loew's Capitol's combination of "Maisie Was a Lady" and Will Bradley's Orchestra drew $21,500.

Estimated takings for the week ending Jan. 29-30:

"North West Mounted Police" (Para.)
WARNER'S EARLE—(2,200) (28c-39c-44c-66c-77c) 6 days, 2nd week. On stage: "Chins Up," revue. Gross: $12,800. (Average, $14,500)

"Maisie Was a Lady" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-44c-66c-77c) 7 days. Vaudeville including Will Bradley and his orchestra, Ray McKinley, Herman Hyde, Wesson Bros., Pickert & Worth. Gross: $21,500. (Average, $16,000)

"Kitty Foyle" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 3 days, 5th week. Gross: $2,500. (Average, $2,000)

"Gone With the Wind" (M-G-M)
LOEW'S PALACE—(2,300) (40c-55c) 7 days, 2nd week. Gross: $16,000. (Average, $10,000)

"Comrade X" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,500. (Average, $4,000)

"Love Thy Neighbor" (Para.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 6 days, return engagement. Gross: $4,100. (Average, $4,200)

'U' Shorts Scored

Three "Going Places" and three "Stranger Than Fiction" short subjects for Universal were scored at the Eastern Service Studios by a symphony orchestra under the direction of Jack Schaindlin who composed the score.

First in 15 Years

Albany, Feb. 5.—When Abe Van Deusen, booker at the local RKO exchange, was home ill with the grippe for two days last week, it was the first occasion in 15 years with the company that he was absent because of illness.

Canadian Industry Facing New Taxes

(*Continued from page 1*)

the Dominion authorities will impose further bans on luxuries, particularly in their import from countries other than those of the British Empire, but it is not believed that any prohibition will be placed on the entry of films for theatrical use, although various items of equipment may be barred. Film entertainment has earned an important place in Canadian life; therefore, it is contended that the importation of films should not be hindered.

Premier M. F. Hepburn of Ontario has announced that no new taxes will be imposed by the Provincial Government this year so that no difficulties will be provided for the Dominion Government in the financing of the war. There is no move toward a revival of the amusement tax which was created by the Ontario authorities as a war measure in the first World War and continued until four years ago as a lucrative source of revenue. There is no suggestion, likewise, of any change in the schedule of license fees for the 400 theatres of the province because of the policy that the Federal Government requires all available cash for the prosecution of the Canadian war effort.

K.R.S. Will Modify Demand on Houses

London, Feb. 5.—The Kinematograph Renters Society (distributors) conferred today with the Cinematograph Exhibitors Association through the new War Relief Committee, and agreed to modify the printed form on exhibitor status, to which the C.E.A. originally objected.

It was agreed to issue it only in selected cases where investigation proved it to be necessary. The K.R.S. would retain the last word in all cases.

Discuss 'Doe' Premiere

The premiere and national release date of "Meet John Doe," Capra-Riskin film to be released by Warners, are being discussed by Riskin and Gradwell Sears, Warner general sales manager at the home office.

Rachmil to Produce

Hollywood, Feb. 5. — Lewis J. Rachmil, art director on Harry Sherman's "Hopalong Cassidy" pictures, today was made an associate producer at Sherman Productions.

Hays on Coast Today

Hollywood, Feb. 5.—Will Hays will arrive on the *Chief* tomorrow and it is expected that a date will be set for an election meeting of the Association of M. P. Producers following his arrival.

U.S. Files Ascap Action; Decree Is Still Possible

(*Continued from page 1*)

ciety that the Department of Justice stands ready to continue negotiations for an adjustment of the controversy just as if no information had been filed." A further statement will be made tomorrow after an Ascap board meeting, Buck said.

Process papers for Ascap defendants in the action are returnable in Federal court at Milwaukee, March 5.

In addition to Ascap, the Government complaint named 19 music publishing corporations and 26 individuals, directors and officers of the society. All Ascap members were named as co-conspirators.

The Government information charges that Ascap is an unlawful combination of trade in violation of the Sherman anti-trust law, specifically in that its members must assign to it exclusively all public performance rights to their music; that the society is governed by a self-perpetuating board of directors; membership in the organization is conditioned upon the regular publication by the candidate for membership of not less than five musical compositions; performance licenses for Ascap music are available only on an all-or-none basis; fees collected for licenses are fixed arbitrarily, in the case of broadcasters being based upon a percentage of gross revenue, whether or not such revenue is derived from programs in which Ascap music is used.

Additional charges are that the society has discriminated as to both price and terms among various commercial users of music; that members have exercised their privilege of restricting from public performance popular and current musical compositions, using this privilege for the purpose of enhancing recording fees, and, prior to Dec. 31, last, the society did not offer blanket licenses to networks but required each chain station to obtain a separate license, although the individual stations had no control over the compositions received from the originating station.

"In plain language," Arnold said in his accompanying statement, "Ascap is charged with exploiting composers by preventing them from selling their music except on terms dictated by a self-perpetuating board of directors. That board has the power arbitrarily to determine on what basis various members of Ascap shall share in the royalties from Ascap compositions.

"In addition to discriminating again composers, Ascap has been using its monopoly power to charge the users of music for songs they do not play. This is done by compelling the user to pay a percentage of his gross receipts on programs where other music is used or where no music is used. By this method, anyone who does not belong to Ascap is excluded from the market. These practices we consider not only illegal but unjustifiable on any ground of fair dealing" Arnold concluded.

Ascap sources here yesterday indicated that while the committee still might meet with Arnold, little hope of an agreement resulting from such a meeting is held.

"We cannot and will not commit organizational suicide," one Ascap official said referring to the consent decree proposals advanced thus far by the Department of Justice. "We will fight this action all the way to the Supreme Court," he added.

Disney Four-Month Profit at $140,000

(*Continued from page 1*)

made in four additional cities as soon as available, he declared.

Disney told the meeting that the company's program calls for completion and release of three additional features in the current calendar year. They are "Reluctant Dragon," "Jumbo, the Flying Elephant" and "Bambi, Wind in the Willows."

Directors renamed were Walter E. Disney, Roy O. Disney, Gunther R. Lessing, George E. Morris and Jonathan Lovelace. Oliver B. Johnston was named assistant secretary-treasurer, and Franklin Waldheim, assistant secretary.

Deny Dismissal Plea

N. Y. Supreme Court Justice Aaron J. Levy has denied the application of Mervyn LeRoy to dismiss the $25,000 suit of Leonard Goldstein and upheld the sufficiency of the complaint. Goldstein claims that he dropped a breach of contract suit against Kenny Baker on LeRoy's promise to pay a fair sum in settlement.

Grierson Stays as Film Commissioner

Montreal, Feb. 5.—J. A. MacKinnon, Canadian Trade Commissioner, announced today that John Grierson, acting Film Commissioner of the National Film Board, is to continue in that office.

Previous reports were to the effect that Grierson, who came here from England in 1939, would resign. MacKinnon said, "Mr. Grierson is willing to stay on and the Film Board is anxious to have him stay. I would say that certainly Mr. Grierson is continuing as Film Commissioner."

Start 'Nazi Spy' Trial

"Confessions of a Nazi Spy" was exhibited yesterday to Federal Judge Matthew T. Abruzzo and a jury at the Warner home office at the start of the $75,000 damage suit of Katherine Moog against Warners. The plaintiff is suing on the claim that the film is a libel upon her character.

ITOA Banquet March 1

The I.T.O.A, of New York will hold its annual banquet at the Hotel Astor March 1 it was announced yesterday.

'U' May Start '41-'42 Selling In Few Weeks

(*Continued from page 1*)

Monday, Scully said. Numerically, the schedule will be about the same as the current season's but will represent a considerably higher production budget and a correspondingly larger number of top bracket pictures. Universal officials regard the new schedule as the best ever offered by the company, on the basis of star, director, producer and story commitments already made.

The early selling start by Universal is appraised in the trade generally as a smart move. It is conceded that exhibitors, confronted with the consent decree buying system and all its attendant uncertainties will be quick to realize the advantage of being able to buy in block well in advance of the start of the decree method.

United Artists and Columbia, which, like Universal, are not parties to the decree, also are preparing plans for sales conventions and the start of new season's selling as rapidly as possible. United Artists' plans are scheduled to be announced next week and Columbia's are expected upon the conclusion of new season production conferences now in progress at the studio.

Vogel Is a Guest at Miami Circuit Lunch

Coral Gables, Fla., Feb. 5.—A-Mike Vogel, chairman of the Managers Round Table department of *Motion Picture Herald,* attended the weekly luncheon meeting here today of the Miami Paramount Circuit as guest of George C. Hoover, division head. Theatre showmanship and other phases of operation were discussed.

Present from the theatres and home office were: Norman Rossman, Rollin Stonebrook, Howard Pettingill, Austin Moon, Al K. Weiss, Irwin Waite, William Mount, James Barnett, Thomas Manning, Thomas Jefferson, Jerry Shenbach, Marshall Pinkert, Bert Jackson, Charles Whittaker, Carl Mott, Charles Walters, Dan Boon and Ralph McIntyre.

N. Y. Bill Regulates Child Appearances

Albany, Feb. 5.—Assemblyman Harold Ehrlich today introduced into the New York legislature a bill regulating theatrical appearance of children under 16. The measure would amend the education law and repeal the present penal statute on the subject.

The bill would set up local education boards or designated officials as authorities to grant written permission for such appearances. Exceptions are made for school dramatics and for not more than one hour weekly on amateur radio shows. The present law is allegedly enforced too rigidly.

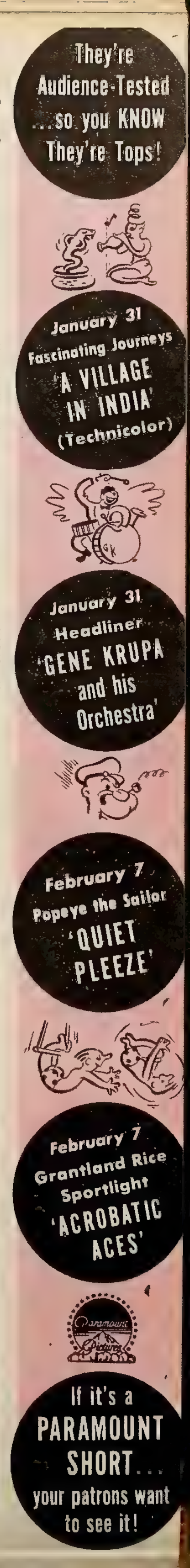
Penner Left $100,000

Los Angeles, Feb. 5.—Joe Penner, who died recently in Philadelphia, left an estate valued at more than $100,000. His will, filed here yesterday, left 60 2/3 per cent to his widow, and 33 1/3 per cent to his parents. Two uncles and a brother-in-law will divide the remainder.

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 10	Pinto Kid (O) *Chas. Starrett* *Louise Currie*	Maisie Was a Lady (C) *Ann Sothern* *Lew Ayres*	Trail of the Silver Spurs (O) Range Busters	Doomed Caravan (O) *Bill Boyd* *Russell Hayden*	Wyoming Wildcat (O) 074 *Don "Red" Barry*	Little Men (D) 110 *Kay Francis* *Jack Oakie*	Michael Shane, Private Detective (D) *Lloyd Nolan*	Son of Monte Cristo (D) *Joan Bennett* *Louis Haywood*	San Francisco Docks (D) *Burgess Meredith* *Irene Hervey*	Case of the Black Parrot (D) 572 *Wm. Lundigan*
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) 4015 *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) 510 *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) *Gene Autry* *Smiley Burnette*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) 556 *H. Bogart* *Ida Lupino*
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) 520 *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*		You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	Trial of Mary Dugan (D) *Robert Young* *Laraine Day*	The Kid's Last Ride (O) Range Busters	The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	The Phantom Cowboy (O) *Don "Red" Barry* *V. Carroll*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) *Rooney-Stone*		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	In Old Colorado (O) *William Boyd* *Russell Hayden*		Citizen Kane (D) 118 *Orson Welles*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) *Allan Jones* *S. Foster*	Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) *C. Grapewin* *Gene Tierney*		Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14	Penny Serenade (C) *Cary Grant* *Irene Dunne*	The Bad Man (O) *Wallace Beery* *L. Barrymore*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*		Great Train Robbery (O) *Bob Steele* *Claire Carleton*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Model Wife (C) *Joan Blondell* *Dick Powell*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*	Ziegfeld Girl (M) *Stewart-Lamarr* *Turner-Garland*	Sign of the Wolf (D) *Grace Bradley* *Louise Beavers*	The Lady Eve (C) *B. Stanwyck* *Henry Fonda*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) *Walter Huston* *Jane Russell*		Double Date (D) *Peggy Moran* *Rand Brooks*	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	Roosty (C) *L. Barrymore* *Edward Arnold*	At the Villa Rosa (D) *Judy Kelly* *Kenneth Kent*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) *Sidney Toler* *K. Aldridge*		Lady from Cheyenne (O) *L. Young* *Robert Pres*	Knockout (D) *Art Kennedy* *Olympe Bradna*



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'GENE KRUPA and his Orchestra'

February 7
Popeye the Sailor
'QUIET PLEEZE'

February 7
Grantland Rice
Sportlight
'ACROBATIC ACES'

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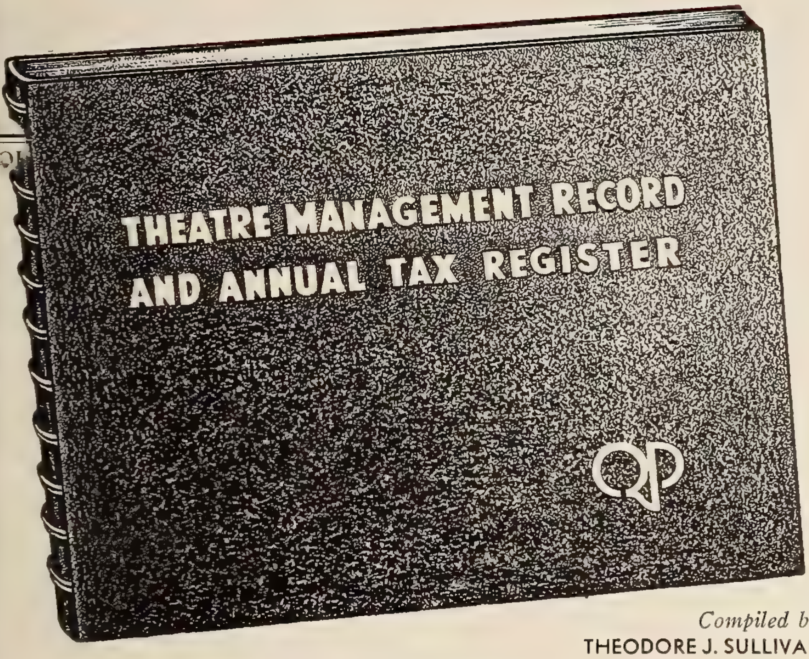
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Short Subject Reviews

"Sky Raiders"

(*Universal*)

A master espionage agent attempting to steal a speedy pursuit plane for a foreign government from the designer is the theme of this 12 chapter serial melodrama. The story is told with many popular players, including Donald Woods, Robert Armstrong, Billy Hallop, Kathryn Adams and Edward Cianelli, in the cast. Based on first three chapters, during which the melodramatics are staged convincingly enough for the purpose, the film should be a strong weekend attraction. Running time, about 20 minutes each chapter.

"Penny to the Rescue"

(*M-G-M*)

The ever witty Pete Smith once again offers an amusing "Specialty." Prudence Penny, home economist extraordinary, is seen coming to the rescue of Billy Newill, whose wife, Sally Payne, left him to prepare dinner. With simple foods Miss Penny prepares delicacies which leave the naive Newill flabbergasted. Smith's commentary is good for many laughs. Running time, 10 mins.

"Training Police Horses"

(*20th Century-Fox*)

This "Adventure of the Newsreel Cameraman" is a delightful human-interest subject and one that probably will be received warmly. It concerns the rigid training given a police horse and finally its placement in active duty. The instructions are long and tiresome for the animal, but the humane treatment given him and his own intelligence carry him through. The film is well done. Running time, 10 mins.

"Fair Today"

(*Universal*)

A cartoon version of a country fair, with the familiar off-screen voice noting the points of interest, this is about average as far as laughs are concerned. The color work is noticeably better than usual. Running time, 7 mins.

'Spotlight on Indo-China'

(*20th Century-Fox*)

The "Magic Carpet of Movietone" in this instance glides over Indo-China, France's Far-East colony, which, because of its geographical importance, is involved in the current dispute in the Orient. Thus the reel is timely despite evidences on the screen that the film was "shot" not too recently. Narration is by Lowell Thomas. Running time, 9 mins.

"Stranger Than Fiction, No. 86"

(*Universal*)

Six subjects, which just border on the unusual in character, are presented. They are an intricate Japanese typewriter, an automatic lifeboat launching device, a tree planted upside down, a miniature city, a train that runs through water and an artist who wields the brush with his teeth. Running time, 9 mins.

Off the Antenna

ALTHOUGH full details have not been set yet, it has been learned from the Department of Transport at Ottawa that Canadian broadcast stations will switch to the new frequencies under the North American Regional Broadcast Agreement at 3 A.M. on March 29, the same time set for the switch on U. S. stations by the FCC.

• • •

Purely Personal: *Bob Wilson has joined the WNEW newsroom staff . . . Ben Bernie will return to New York with the cast of his NBC-Blue show for Tuesday's broadcast . . . Dorothy Thompson will be guest on "Why Democracy" over WMCA tomorrow at 10:55 P. M. . . . Wolfgang Martin has been named musical director of WITH, Baltimore.*

• • •

Women newsreel commentators will battle male commentators on the "Battle of the Sexes" over NBC-Red, Tuesday at 9 P.M. The women's team consists of Arlene Francis, RKO-Pathe; Sue Read, Paramount News; Adelaide Hawley, News of the Day; and Vyvyan Donner, Movietone News. On the men's side will be Andre Baruch and Jim Cummings, RKO-Pathe; Gregory Abbott, Paramount News; and Jack Haney, Movietone News. As usual Julia Sanderson will head the women's team and Frank Crumit, the men.

• • •

NBC has decided to concentrate control over all auditions in the future in the production department. Requests for client auditions or client hearings will be required to clear through the sales department.

• • •

Program News: Mars Candy has taken an option on the 5:30-6:00, CST, Sundays, spot on NBC-Red, effective March 2. A musical show to supplement the "Dr. I.Q." show is planned . . . Alexander Smith Carpet Co. will sponsor a series on home decoration over six New England CBS stations beginning Monday. It will be heard Mondays, Wednesdays and Fridays at 3:30 P.M. . . . The "Pot o' Gold" show moves to Chicago for its Feb. 13 broadcast over NBC-Blue.

'Maisie' and Show $12,000, Cincinnati

CINCINNATI, Feb. 5.—A stage show helped "Maisie Was a Lady" to a $12,000 gross at the RKO Shubert. "This Thing Called Love" did $5,000 in the second week at Keith's.

Estimated takings for the week ending Jan. 29-Feb. 1:

"Arizona" (Col.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)
"Second Chorus" (Para.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,500. (Average, $10,000)
"Maisie Was a Lady" (M-G-M)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "International Casino." Gross: $12,000. (Average, $10,000)
"Thief of Bagdad" (U. A.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,800. (Average, $5,500)
"Road Show" (U. A.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $2,800.
"Hudson's Bay" (20th-Fox)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $2,400. (Average, $4,500)
"The Ape" (Mono.)
"Chamber of Horrors" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,300. (Average, $1,200)
"Ole Swimmin' Hole" (Mono.)
"Romance of the Rio Grande" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"This Thing Called Love" (Col.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $5,000)

Obsolete Laws Deter Nova Scotia Building

ST. JOHN, N. B., Feb. 5.—Retention of obsolete regulations by the Nova Scotia Board of Censors is discouraging the establishment of new theatres in the province, exhibitors maintain.

Although the objectionable clauses are not all enforced, they have been continued in the law, in spite of the vigorous objections of theatre men and can be implemented at any time the Censor Board wishes, and without warning. One calls for the immediate arrest without a warrant of any theatre owner or manager, if a Censor Board representative finds one light in an exit not burning.

FCC Settles Fight on Channel in Brooklyn

WASHINGTON, Feb. 5.—The Federal Communications Commission today settled the controversy over the use of the 1,500-kilocycle channel in Brooklyn by proposing dismissal with prejudice of the application of Station WMBQ for renewal of license; dismissal with prejudice of the application of Lillian E. Kiefer for a construction permit for a new station; denial of the application of Paul J. Gollhofer for a construction permit for a new station; denial of the application of Station WCNW for renewal of license and dismissal with prejudice of applications of the station for modification of license, and grant of the application of Station WWRL for renewal of license and modification of license to include the hours of Station WMBQ and WCNW.

'Wind' Is Buffalo's Leader At $15,500

BUFFALO, Feb. 5.—"Gone With the Wind" continued strong in its second week at the Great Lakes with $15,500. "The Philadelphia Story" and "The Wild Man of Borneo" made $16,100 at the Buffalo.

Estimated takings for the week ending Feb. 1:

"The Philadelphia Story" (M-G-M)
"The Wild Man of Borneo" (M-G-M)
BUFFALO—(3,489) (30c-55c) 7 days. Gross: $16,100. (Average, $12,000)
"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (40c-55c) 7 days, 2nd week. Gross: $15,500. (Average, $7,500)
"Here Comes the Navy" (W. B.)
"River's End" (W. B.)
HIPPODROME—(2,100) (30c-50c) 7 days. Gross: $5,400. (Average, $6,800)
"East of the River" (W. B.)
"Always a Bride" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $6,700. (Average, $7,500)
"This Thing Called Love" (Col.)
"The Great Plane Robbery" (Col.)
LAFAYETTE—(3,000) (30c-40c) 7 days. 2nd week. Gross: $5,900. (Average, $6,300)

Approval of FCC Is Requested on Four New Stations

WASHINGTON, Feb. 5.—Applications for construction permits for two new standard broadcast and two FM stations have been filed with the Federal Communications Commission.

The requests were submitted [illegible] Dalton LeMasurier, seeking a 1,[illegible] kilocycle station at Grand Forks, N. D., with 500 watts night, 1,000 watts day; the WTBS Radio Co., Inc., asking a 600-kilocycle, 1,000-watt station at Toledo, Ohio; the *Courier-Journal* and Louisville *Times* Co., Louisville, Ky., seeking a 45,700-kilocycle FM station to cover 13,200 square miles with a population of 1,004,320, and the News Syndicate Co., Inc., New York, seeking a 44,700-kilocycle FM station to cover 8,500 square miles with a population of 11,212,416.

Frequency Changes Sought

The commission also received applications from Stations WCAX, Burlington, Vt., for change of frequency from 1,200 to 620 kilocycles and increase of power from 250 to 1,000 watts; WISE, Asheville, N. C., for change of frequency from 1,370 to 1,200 kylocycle, and KTBS, Shreveport, La., asking for increase of power from 1,000 watts to 5,000 watts night, 10,000 watts day, instead of to 50,000 as originally applied for.

A construction permit was granted Richard Field Lewis, Jr., for a new 1,370-kilocycle, 250-watt station at Winchester, Va., and authority was granted Stations WREN, Lawrence, Kan., to increase night power from 1,000 to 5,000 watts; KWWJ, Portland, Ore., to change frequency from 1,060 to 1,040 kilocycles and increase power from 500 to 1,000 watts; WSGN, Birmingham, Ala., to change frequency from 1,310 to 610 kilocycles and increase power from 250 to 1,000 watts; and KIRO, Seattle, to increase power from 10,000 to 50,000 watts. An application of the Camden Broadcasting Co. for a new 800-kilocycle, 500-watt daytime station at Camden, N. J., was designated for hearing at a date to be set later.

Radio Theatre Is Planned in Mexico

MEXICO CITY, Feb. 5.—A radio theatre in English, the first of the kind in Mexico, is being organized for opening in March by Leopoldo Samaniego, new director of Station XEXA here, which is operated by the Ministry of the Interior. Samaniego has long worked in radio in Mexico and has seen service in the United States.

This is part of the station's program of general improvement in its non-commercial broadcasts, which are intended to give better cultural, educational and Government publicity services and to increase good will between Mexico and the United States.

Repair Mexican Station

MEXICO CITY, Feb. 5.—Repairs are being rushed on XEBT, the short wave section of Station XEB here, owned by the Ruan Tono Cigarette Co., which was destroyed by fire caused by a power short circuit.

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VOL. 49. NO. 27 NEW YORK, U. S. A., FRIDAY, FEBRUARY 7, 1941 TEN CENTS

Universal to Offer 42 to 46 Next Season

Production Budget Will Be Firm's Largest

Universal will schedule between 42 and 46 features for new season release, approximately half of which will be top budget productions representing the largest cash outlay on a season's program in the company's history.

District and branch sales managers at the company's three-day sales convention opening at the Blackstone Hotel, Chicago, tomorrow, also will be informed that the company will release 12 to 14 action pictures, four serials, 56 shorts and 104 issues of Universal Newsreel next season.

The program numerically is about the same as the company announced for the current season, but represents a much higher production appropriation. Definite commitments for new stars, producers and directors for the new season's lineup already have been made by the studio. The company's product announcement will be made to the convention on Monday.

The first two days of the session will be devoted to discussion of the balance of Universal's current season releases, a large part of which also has been augmented by increased appropriations for the addition of stars and other production values under Universal's policy of flexibility. Between now and Sept. 1, Universal will

(*Continued on page 6*)

Majors Watching British Film Plan

LONDON, Feb. 6.—Representatives of American companies here are watching closely the development of Government plans to establish a Films Commission which would exercise virtual control over the British industry, and a Credit Bank for production.

It is the contention of the American firms that any such commission should concern British production exclusively. The recent agreement on the withdrawal of British currency by American companies is known to include a clause giving the American firms the right to cancel the pact in the event of any legislative or other act considered prejudicial to their interests.

During the negotiations on the ex-

(*Continued on page 7*)

$7,600,000 Para. Report Due Today

Paramount's 1940 financial report which is expected to show, according to Wall St. sources, a net profit of approximately $7,600,000 for the year including the company's equity in undistributed earnings of subsidiaries. will be released following a meeting of the company's board of directors today.

The board may also put the common stock on a regular dividend, probably 20 cents, it was also reported.

Holdovers Bring Good B'way Gross

Holdover attractions brought strong grosses to Broadway first runs during the week as mild Winter weather drew crowds to the downtown area.

With an estimated $85,000 for its sixth week. "Philadelphia Story" and a stage show set a new Music Hall mark for a single engagement by bringing the total six-week tally to an estimated $590,000.

Another big holdover gross was that of "Tall, Dark and Handsome" with a stage show at the Roxy which drew an estimated $48,500 for its second week but had to be withdrawn because of a crowded booking calendar. "Western Union" opened there yesterday. At the Strand, the second week

(*Continued on page 7*)

Ascap Board Will Discuss Decree in Washington Today

The entire Ascap board of directors and officers of the society will meet in Washington today with officials of the Department of Justice to discuss further the Government-Ascap proposals for a consent decree in settlement of the pending Federal actions in Milwaukee and New York.

In addition to the Ascap board of 24 members, at least 21 of whom are available for the Washington meeting, Gene Buck, Ascap president; E. C. Mills, chairman of the executive committee, and John G. Paine, general manager, will attend. The group left for Washington last night, with several expressing optimism over the prospect of reaching an agreement.

There is a possibility that Attorney General Robert H. Jackson and Assistant Attorney General Thurman Arnold will attend the meeting, with members of their staffs.

The Ascap board would be in a position to convene and ratify an agreement if one could be reached today.

Merrill Is Officer of RKO Radio Pictures

William J. Merrill was elected a vice-president of RKO Radio Pictures at a meeting of the board of the company this week. Merrill has been a vice-president and treasurer of the parent company, Radio-Keith-Orpheum Corp., for the past year.

General Price Increase Advocated by Bernhard

A general raise of admission scales throughout the country in order "to protect the financial structure of our business," was advocated yesterday by Joseph Bernhard, general manager of Warners Theatres, in addressing members of Ampa at their luncheon meeting at the Hotel Edison.

Joseph Bernhard

At the same time, Bernhard reiterated his objections to periodic admission increases for occasional big attractions.

Bernhard pointed out that there were not enough such big attractions to support the industry profitably and that the occasional raising of scales eventually will make the public "price-conscious to a dangerous degree."

"Our customers will look upon prices as a trade-mark of quality," Bernhard said. "Unconsciously, we will be telling the public that when the price goes up it is a good picture; when the price remains stationary, it is not good. Keep up the juggling of prices and you will shift emphasis from entertainment to price.

"When we do play a 'smash' picture at regular prices, that is a special dividend we are giving to our customers to keep them going, and to earn their goodwill."

Asserting that where 10 years ago the customer was spending an aver-

(*Continued on page 7*)

Goldwyn May Stay With UA Despite Deal

U.A. Buys Goldwyn Stock; Contract Cancelled

HOLLYWOOD, Feb. 6.—Following the closing of a deal today whereby U.A. purchased Samuel Goldwyn's stock and released him from his distribution contract, and Goldwyn dropped his suit against the company, the producer declared that he might "even stick with U.A." for distribution of his forthcoming films.

The deal climaxed several years of dispute over company policy. Goldwyn said the price of his stock or other financial arrangements remained "a secret," and added that he had no immediate plans beyond the filming of "The Little Foxes," a play by Lillian Hellman.

Goldwyn, who has released through U.A. since 1926 and has been an owner-member since 1927, declared, "I've been under contract for a great many years and I'll be glad to get a rest."

Despite Goldwyn's statement that he might "stick with U.A.," it was believed here that he may release through Warners in the future. Goldwyn arranged with Warners for the distribution of "The Westerner," his last production, but the deal was cancelled after U.A. threatened legal action, it was recalled. Furthermore, it was pointed out, his next production, "The Little Foxes," will probably star Bette Davis, borrowed from

(*Continued on page 7*)

MPTOA Convention On Coast in Spring

National convention of M.P.T.O.A. probably will be held in Los Angeles toward the end of April or early in May, Ed Kuykendall, president, said on his arrival here yesterday from Washington.

Kuykendall emphasized that no definite arrangements have been made yet but that he hopes to complete plans for the convention before leaving New York within a few days.

The M.P.T.O.A. head conferred with members of Congress in Washington on possible revisions of the Federal admission tax. Kuykendall reported that while a revision of the admission tax appears to be certain when the general tax bill comes before Congress later, no final decisions have been made on changes yet.

Argentina to Set 'Dictator' Status

Buenos Aires, Feb. 6.—The Argentine Federal Government will name an official committee to determine whether "The Great Dictator" affects foreign relations with friendly governments.

The move will be made in view of the fact that the film has been banned here but is being shown in several other cities. The committee will determine whether exhibition is to be permitted and if so, whether cuts must be made.

Studio Locals May Seek Aid in Dispute

HOLLYWOOD, Feb. 6.—Aid of their Internationals may be sought by locals in the studio basic labor agreement for settlement of their demands for better working conditions, it appeared today. Business representatives of the locals involved met today and turned down what they termed an unfair compromise offered by the producers and in which no concessions to their demands were made, it was reported.

Union leaders were said to be irritated by the long delay in getting answers from the producers on working condition demands which were referred to the west coast at the December, 1939, meeting of pact signatories in Atlantic City.

Among the demands of the teamster, plasterer, laborer, musician, carpenter and electrician locals was a limitation on cancellation of a work notice to eight hours before the work is to start. The producers agreed to a three-hour period of cancellation but this was rejected today. At present there is no cancellation period provided.

Sets Combination Bill

COLUMBUS, O., Feb. 6.—The RKO Palace, which ordinarily plays straight pictures, with an occasional stage attraction, will play a combination stage show and picture policy for at least four consecutive weeks. It has not been decided whether this policy will be permanent.

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Personal Mention

STANTON GRIFFIS, chairman of the Paramount executive committee, will leave for Florida tomorrow for a 10-day vacation.

•

ALBERT DEANE of the Paramount foreign department is recovering from an injury incurred in a fall on an icy walk.

•

MRS. E. W. HAMMONS will leave for Tucson, Ariz., today for a lengthy stay.

•

GEORGE J. SCHAEFER, RKO president, has postponed his departure for the Coast again. He is scheduled now to leave a week from today.

•

MR. and MRS. LEO SPITZ are scheduled to return from California on March 1.

•

HAL WALLIS, Warner executive producer, is en route back to the Coast after two weeks of conferences at the home office.

•

BEN KALMENSON, Warners' Western and Southern sales manager, has returned from a tour of exchanges in his territory.

•

GEORGE S. JEFFERY returns tomorrow from a four-day business trip to Montreal and Boston.

•

LYNN FARNOL will leave for the Coast by plane Sunday for a brief visit.

•

ROBERT DENTON, Paramount Newsreel chief in Washington, has recovered from influenza.

•

EMANUEL SILVERSTONE, HARRY COSMAN, SEYMOUR POE and SAM TULPAN at Lindy's (next to the Rivoli) for lunch yesterday.

SAM DEMBOW, JR., Paramount theatre executive, will return to his office on Monday. He has been confined to his home for the past few weeks following an automobile accident.

•

JOSEPH HAZEN and GRADWELL SEARS of Warners were on the sick list yesterday.

•

FREDERICK L. HERRON of M.P.P.D.A. is confined to his home with the grippe.

•

LOU WEINBERG, Columbia circuit sales executive, will leave for Florida tonight for a vacation.

•

HAL HORNE, vice-president and Eastern representative of Walt Disney Productions, is at home with a back ailment.

•

ARTHUR KELLY, PAT POWERS, DOUGLAS ROTHACKER, MAURICE BERGMAN, FRED MCCONNELL, CHARLES PAINE and WALTER FUTTER at the Tavern yesterday for lunch.

•

WILLIAM F. RODGERS, OSCAR A. DOOB, EDWARD SAUNDERS, RALPH AUSTRIAN, BORIS KARLOFF, CHARLES E. MCCARTHY, M. A. SCHLESINGER and GEORGE SKOURAS having lunch yesterday at Nick's Hunting Room in the Astor.

•

HERMAN WOBBER, ADOLPH ZUKOR, BARNEY BALABAN, AUSTIN KEOUGH, I. E. LOPERT, ARTHUR KRIM, TOBY GRUEN, LUTHER ADLER, JOHN D. HERTZ, JR., JOHN BUCHANAN, ARMANDO and JACK KIRKLAND lunching yesterday at Sardi's.

•

HARRY BRANDT, ROBERT WEITMAN, JACK GOETZ, JOSEPH PINCUS and JOSEPH MOSKOWITZ having lunch yesterday at Lindy's (51st St.).

Centralize Warner Phila. Area Houses

PHILADELPHIA, Feb. 6.—In a move to centralize the operation of Warner Theatres in this area, Zone Manager Ted Schlanger today made A. J. Vanni, formerly in charge of the Wilmington district, head of all the circuit houses outside of Philadelphia.

Vanni's territory also includes Atlantic City, filling the vacancy left today by the resignation of Herbert L. Copelan. Vanni's headquarters will be here. Three district managers covering the area outside Philadelphia were also set up under Vanni: Mort Levine, for southern New Jersey from Atlantic City to Camden; Jack Mulhall for eastern Pennsylvania, covering Ambler, Chester and Reading, and Edward Moore, for central Pennsylvania, covering Lancaster, York, Hanover and Gettysburg in addition.

For the first time five city manager posts were designated, Joe Murdock, Camden; Joe Berger, Chester; Ray O'Connell, Lancaster; Lou Black, Wilmington, and Paul Harvey, York.

Waldorf Theatre Sold

The Waldorf Theatre on 50th St. has been sold by the Greenwich Savings Bank to William A. O'Brien, who plans stores on the site.

Sues Loew Officers On Proskauer Fee

Ruth L. Kirby, minority stockholder of Loew's, filed suit yesterday against Loew's, Nicholas M. Schenck, David Bernstein, Al Lichtman, J. Robert Rubin and Joseph M. Proskauer, the last named the attorney who represented the defense in a stockholder's suit against the company in 1939.

The plantiff seeks to have repaid to the company, $100,000 paid to Proskauer for legal fees in that case. The complaint alleges that since in the original action the defendants had been ordered to repay $527,000 to the company the decision represented a victory for the stockholders and that Proskauer's fees should have been paid by the individual defendants rather than by Loew's. The answer alleges that Proskauer represented the company and not the individuals.

Outdoor Ad Control Bill Filed in Albany

ALBANY, Feb. 6.—A bill implementing Governor Lehman's annual messages concerning the regulation of outdoor advertising in New York State was submitted jointly today by Senator G. Frank Wallace and Assemblyman Robert F. Wagner, Jr. The bill, directed mainly at eliminating misleading stoplights and the like, treats the subject generally.

Newsreel Parade

OUTSTANDING in the new issues is Wendell Willkie's visit in England. President Batista of Cuba in Havana after a revolt was attempted, miscellaneous war items and general news material, including sports, form the reels. The contents:

MOVIETONE NEWS, No. 44—British take Bardia. Willkie in England. [illegible]rks, commission old locomotives. Army [illegible]000 students get final instructions. Hat fashions. Silver Skates championships. Outboard race in Washington.

NEWS OF THE DAY, No. 242—War in Libya. Willkie in London. New autogiro jumps straight up. Silver Skates. Outboard race.

PARAMOUNT NEWS, No. 47—Outboard race. Batista addresses Cuban army. Midshipmen graduate in Annapolis. British advance in Libya. Willkie in England.

RKO PATHE NEWS, No. 47—Batista introduces new Cuban army chief. Londoners make flour from potatoes. Maneuvers at Fort Benning. Cavalry maneuvers in Australia. Elmer Layden named professional football czar. Alligators on St. Augustine farm. Test new autogiro. Midget auto race in Chicago. London welcomes Willkie.

UNIVERSAL NEWSREEL, No. 952—Batista in Havana. Willkie in London. American Legion mission off to London. New autogiro hops off ground. Silver Skates meet. Circus in Miami. Women's fashions. Outboard race. Chemically-made clothes in Chicago. Boat regatta in Seattle.

'Baines' to Open in Vermont Thursday

The world premiere of "Scattergood Baines," RKO film starring Guy Kibbee, based on the Clarence Buddington Kelland character, will be held at Montpelier, Vt., next Thursday evening.

The event, to be broadcast over the Yankee network, will be held at the Capitol Theatre, with Gov. William H. Wills of Vermont scheduled to attend. With him will be many state officials, leading business men and newspaper representatives from New England cities. Kibbee will attend from Hollywood. A group from the RKO home office will accompany him from here.

Dietz Starts East Today

HOLLYWOOD, Feb. 6.—Howard Dietz, M-G-M director of advertising and publicity will leave tomorrow by train for New York after a month of conferences about campaigns on Spring product.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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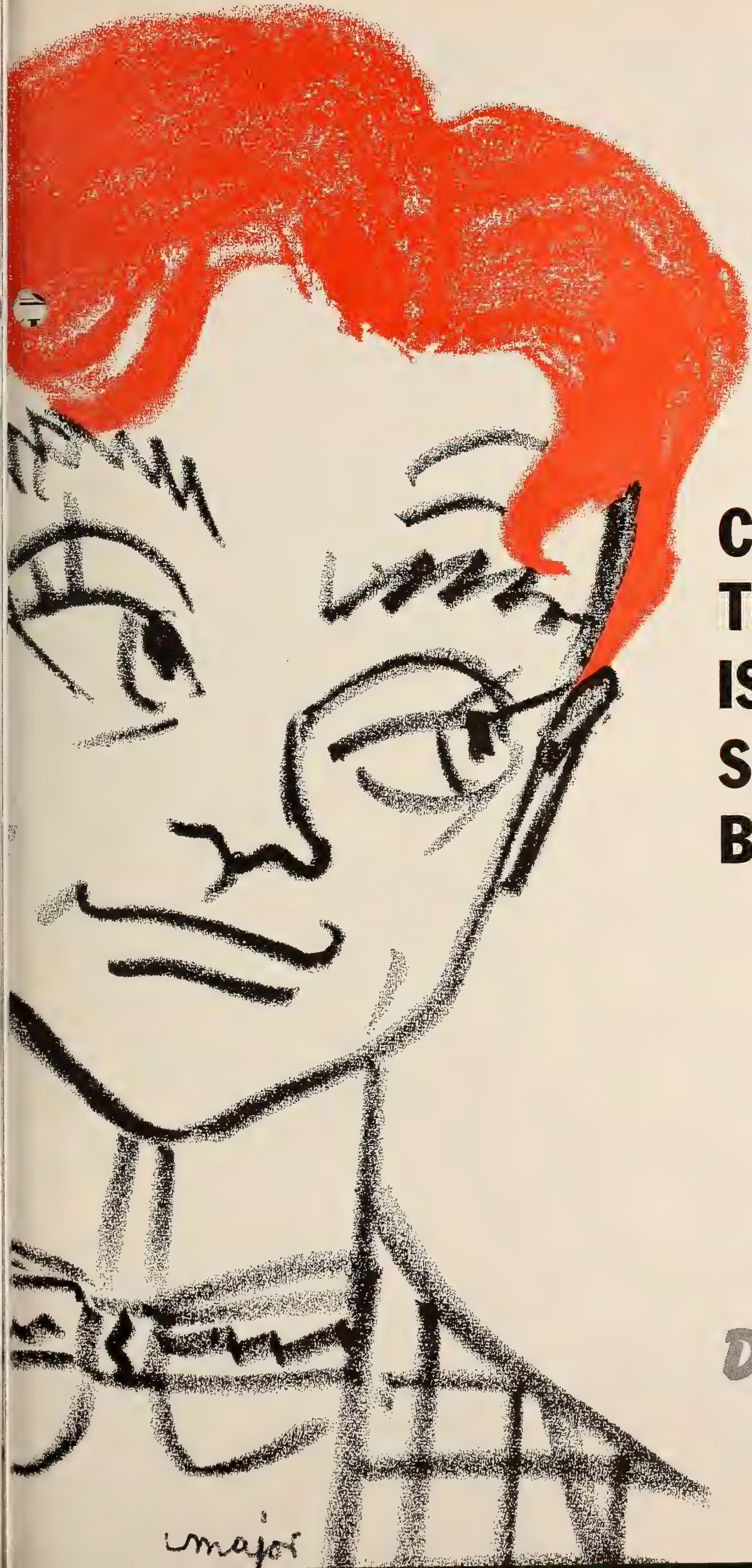


CAGNEY'S TOP IS STRAWBERRY BLONDE!

DEFINITELY! →

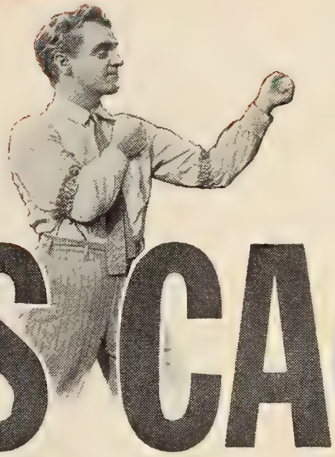
We're not kidding. Better stop all booking commitments after 'Strawberry Blonde' because there's no telling how long you'll be holding it!

It's the same old Cagney—old Cagney in the good old days!

IT'S GOT EVERYTHING THAT WARNERS' TOP CAGNEY SHOW COULD HAVE

AND (it's a big 'and'!)

A GREAT FAMILY APPEAL BESIDES!



JAMES CAGNEY

He scraps as hard as ever – only it looks a lot funnier! .. *and*

OLIVIA DeHAVILLAND

Delivering their all-time standout performances in

rawberry Blonde

The gayest story of the gay '90's you've ever seen on celluloid!

with **RITA HAYWORTH** and

ALAN HALE • JACK CARSON • GEORGE TOBIAS

Directed by **RAOUL WALSH**

Screen Play by Julius J. and Philip G. Epstein • From a Play by James Hagan

A Warner Bros.-First National Picture

Universal to Offer 42 to 46 Next Season

(*Continued from page* 1)

deliver 29 features and a serial, all of which either are completed, in work or in preparation. Considerable attention will be given by the sales force to the proper marketing of the balance of this season's product during the coming months.

The meeting will be attended by all of Universal's top home office and studio executives, in addition to the district and branch managers who were listed in MOTION PICTURE DAILY on Jan. 30.

The Eastern contingent, consisting of the following, will leave here tonight for Chicago: J. Cheever Cowdin, chairman of the board; Nate J. Blumberg, president; W. A. Scully, vice-president and general sales manager, who will preside at the meeting; F. J. A. McCarthy, Eastern sales manager; W. J. Heineman, Western sales manager; J. H. Seidelman, vice-president and foreign manager; Charles D. Prutzman, vice-president and general counsel; Adolph Schimel, home office attorney; B. B. Kreisler, short subjects sales manager; James J. Jordan, F. T. Murray, A. J. Sharick, Morris Alin and Henry A. Linet.

Representing the studio will be: Cliff Work, vice-president and studio head; Matthew J. Fox, vice-president; John Joseph, advertising and publicity director; Joe Pasternak, Milton Feld and Dan Kelley.

A Canadian contingent will include: Oscar Hanson, president of Empire-Universal, Canadian distributor for the company; Paul Nathanson, vice-president of Empire-Universal; A. W. Perry, general sales manager, and Clair Hague, Canadian representative.

33 RKO Theatres Shift Feature Time

By Wednesday 33 RKO theatres in the Metropolitan area will have adopted the policy of showing the main feature at either 9 or 9:30 P. M. as a further inducement to patrons not desiring to see both features on double feature programs.

The circuit experimented with such a policy last September at the 86th Street Theatre and to date has instituted the change in about eight others.

As scheduled, 31 Loew's double bill theatres in the area began last night, presenting the main feature at 9 P. M.

O'Brien Play Ready

Robert O'Brien, son of Dennis F. O'Brien, prominent industry attorney and member of the board of United Artists, is co-author and producer, with Eddie Gilmore, of a revue to be presented at the Barbizon-Plaza Little Theatre, Feb. 21-23, for the benefit of the British War Relief Fund.

Hettesheimer Dies

CINCINNATI, Feb. 6.—Andrew G. Hettesheimer, 73, operator of the suburban Norwood Theatre, died at Christ Hospital last night following a heart attack Saturday. His widow, two sons and two daughters survive.

Universal Executives Attend Convention

J. C. COWDIN
Chairman of Board

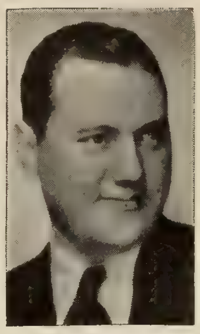
N. J. BLUMBERG
President of Universal

W. A. SCULLY
General Sales Manager

CLIFFORD WORK
Vice-President Production

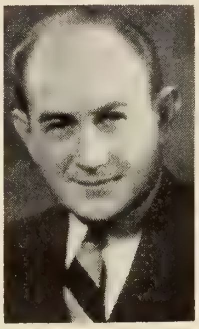
MATTHEW FOX
Assistant to President

F. J. McCARTHY
Eastern Sales Manager



W. J. HEINEMAN
Western Sales Manager

J. H. SEIDELMAN
Vice-President Foreign



B. B. KREISLER
Short Subjects Sales Head

C. D. PRUTZMAN
General Counsel of Universal

JOHN JOSEPH
Director Publicity and Advertising

LOUIS POLLOCK
Advertising Head in East

Commonwealth Shift Auditor, Managers

KANSAS CITY, Feb. 6.—L. D. Parrott, auditor for Commonwealth Amusement Corp., has been shifted to Creston, Ia., as manager for the Commonwealth houses there. He succeeds Merl Hillyer, who will manage the Commonwealth Benton, Kansas City suburban house.

Howard Wolf goes from the Benton to the Varsity at Lawrence, Kansas, as manager under Stanley Schwahn, city manager. Hazel Ralph becomes auditor for the circuit here.

AFA Fund Plan to Court

Plan for the appointment of Senator Robert F. Wagner, Joseph Padway and Sidney E. Cohen as trustees without compensation to administer the death benefit fund of the defunct American Federation of Actors was submitted yesterday to N. Y. Supreme Court Justice Bernard L. Shientag for his approval.

Kyser, 'Play Girl' $28,000, Cieveland

CLEVELAND, Feb. 6. — Kay Kyser on the RKO Palace stage, with 'Play Girl" on the screen, hit a smash $28,000 at the RKO Palace. "Gone With the Wind" at Loew's State took $22,000 in its second week.

Estimated takings for the week ending Jan. 30:

"Kitty Foyle" (RKO)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $5,500. (Average, $4,000)

"This Thing Called Love" (Col.)
HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $14,000. (Average, $11,000)

"Play Girl" (RKO)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Kay Kyser on stage. Gross: $28,000. (Average, $13,500)

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,500) (40c-58c) 7 days, 2nd week. Gross: $22,000. (Average at 33c-39c-47c, $11,000)

"Dr. Kildare's Crisis" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days. Gross: $3,000. (Average, $4,000)

69 Canada Stations Change Frequency

OTTAWA, Feb. 6.—Sixty-nine of the 86 broadcasting stations in Canada operating in the standard broadcasting band will be changed at 3 A. M., March 29, Supply Minister Howe has announced.

The reallocation of frequencies conforms with the agreement reached at the international radio conference in Havana in 1937, and the Washington engineering conference just completed, said the Minister, under whose jurisdiction radio broadcasting falls.

Howe's statement listed the following as some of the principal allocations in central Canada: CBF, Montreal, 690 kilocycles from 910 kilocycles; CBL, Montreal, 740 kilocycles from 840 kilocycles; CFRB, Toronto, 860 kilocycles from 690 kilocycles; CKAC, Montreal, 730 kilocycles, no change; CKLW, Windsor, Ont., 800 kilocycles from 1,030 kilocycles; CBM, Montreal, 940 kilocycles from 960 kilocycles.

Goldwyn May Stay With UA Despite Deal

(Continued from page 1)

Warners. William Wyler probably will direct. Goldwyn has devoted much of his time recently to war relief work, in which activity he has been closely associated with Harry M. and Jack Warner.

Although the price paid for Goldwyn's stock was undisclosed, it was reported to be in the neighborhood of $300,000. Goldwyn's distribution contract had more than four years to run under its terms.

Following the negotiations, Maurice Silverstone, U.A. operating head, left for Palm Springs for a rest. Silverstone plans to return here Feb. 13.

Holdovers Bring Good B'way Gross

(Continued from page 1)

of "High Sierra'" with Henry Busse's band on the stage was good for an estimated $35,000 and "Honeymoon for Three" with Ray Noble's band on the stage will open this morning, with the next film scheduled to be "Strawberry Blonde." In its return engagement at the Capitol, "Gone With the Wind" garnered an estimated $50,000 for the second week and started the third yesterday.

Sixteenth week for "The Great Dictator" brought an estimated $13,000 at the Astor. At the Broadway, "Fantasia" should gross an estimated $22,000 for the 13th week which ends tomorrow. "The Saint in Palm Springs" brought an estimated $7,000 for a week at the Rialto and was followed yesterday by "Face Behind the Mask."

Majors Watching British Film Plan

(Continued from page 1)

change agreement, the Government indicated it was working on the commission situation, and would not promise to abandon it at that time.

It is believed in informed circles that the commission plan of the British Board of Trade is aimed particularly at assistance to producers, but a close watch is being kept by American interests for other developments on the commission situation.

Lane Heads N.A.B. District on Coast

SAN FRANCISCO, Feb. 6.—Howard Lane, manager of all McClatchy stations in California and Nevada, was unanimously reelected director of the 15th District of the National Association of Broadcasters at the district session here. He will serve for two years. The session went on record as favoring continued support of the BMI program of combating Ascap.

WIP Joining Mutual

WIP, Philadelphia, operating with 5,000 watts on 610 k.c., will become a full time Mutual affiliate March 1 when Mutual's present outlet in that city, WFIL, will end its affiliation.

Hollywood Review

"The Mad Doctor"

(Paramount)

Hollywood, Feb. 6

THIS is a melodrama in the thrill-chill tradition. It is being coupled, in fact, with "The Monster and the Girl" as a "spook week" attraction at the Paramount Theatre in Los Angeles. The film contains three murders, not counting a couple that have occurred prior to the start of the picture, but is set apart from other films in kind by the introduction of psychiatry, presented in orthodox fashion, as a major factor in what goes on. That is to say, the doctor of the title, a psychiatrist, psycho-analyzes an intended victim and also himself, by standard means, thus furnishing to the audience a motive for his activities which differs from those commonly employed in these shockers.

Basil Rathbone is seen as the doctor, Ellen Drew as the girl he marries, Barbara Allen as her sister, John Howard as her reporter sweetheart, Martin Kosleck as the doctor's companion in crime, and Ralph Morgan as an honest practitioner.

Origin of the doctor's impulse to marry and murder women of wealth is, according to his explanation, his betrayal by his first wife and his best friend, both of whom he murdered. Having wed and killed two more women, he meets and psycho-analyzes a girl whose influence, he believes, will reform him. His last previous murder is detected, however, and, although two more murders are committed by way of trying to prevent capture and conviction, his plot fails and he commits suicide. A bit of body-snatching is an incident in the film. Direction is by Tim Whelan.

Running time, 90 minutes. "G"* ROSCOE WILLIAMS

---

* *"G" denotes general classification.*

General Price Increase Advocated by Bernhard

(Continued from page 1)

age of $1 with the industry, the average is now 75 cents, the Warner circuit head urged as the first job for the industry's advertising and publicity men the creation of "a public state of mind toward motion pictures which would enable us within the very near future to advance our admission prices at least to the 1930 level." Their second, but most important task, he said, is to build good will for the industry as an institution.

He charged "fan" magazines, Hollywood columnists, newspaper critics and others with dissipating the good will of the industry through destructive criticism, dissemination of malicious gossip and careless and inefficient picture appraisals, all to the direct detriment of the box-office.

"I know of no trade paper conducting itself in that way," Bernhard said.

The Warner theatre executive was introduced by Mort Blumenstock, Eastern advertising and publicity director for Warners, who, reviewing Bernhard's 11-year record in his position, observed that he had turned the operations of the company's 500 theatres from a losing to a profitable basis within a few years.

On the dais at the meeting in addition to Bernhard were: Leon Bamberger, Ampa president; Clayton Bond, Carl Leserman, Blumenstock, Harry Goldberg, Sam Schneider, Ed Schreiber and Paul Lazarus.

Ampa's next meeting, Feb. 20, will have Herman Robbins, president of National Screen Service, who is observing his 20th anniversary in the industry, as its guest of honor.

'Wind' Sets Record In Mexico City Run

MEXICO CITY, Feb. 6.—"Gone With the Wind" broke all records in its first week of a six-week engagement at the Cines Alameda and Iris here.

The Alameda grossed $15,500 in the first week of "Wind," about $4,000 more than it ever did before in the first week of any film. This is a new week's record for Mexico. The Iris has not announced its first week's revenue but it is said that the Iris did not do as well as the Alameda. The Alameda and the Iris have abandoned their policy of reserved seats for "Wind" because of the abuse of speculators who bought up blocks of tickets and were selling them for $1.10 each.

'Foyle' Big $11,000 Indianapolis Lead

INDIANAPOLIS, Feb. 6. — "Kitty Foyle" and "Remedy for Riches" drew a big $11,000 here.

Estimated takings for the week ending Jan. 30:

"Kitty Foyle" (RKO)
"Remedy for Riches" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $11,000. (Average, $6,000)
"High Sierra" (W. B.)
"Give Us Wings" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $8,500. (Average, $5,500)
"Thief of Bagdad" (U. A.)
"Nobody's Children" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $9,400. (Average, $7,000)
"Barnyard Follies" (Rep.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: "Shoot the Works," with Ezra Buzzington and his band. Gross: $8,800. (Average, $8,000)

'Wind' Holds Boston Pace With $28,000

BOSTON, Feb. 6.—"Gone With the Wind," in the second week at Loew's Orpheum, drew a strong $28,000. "Flight Command" and "Keeping Company" accounted for $17,500 at Loew's State.

Estimated takings for the week ending Jan. 29-31:

"Bowery Boy" (Rep.)
"Escape to Glory" (Col.)
"You're Out of Luck" (Mono.)
"Misbehaving Husbands" (P. R. C.)
KEITH BOSTON—(3,200) (25c-35c-40c-55c). "Bowery Boy" and "Escape to Glory" 4 days with vaudeville, including Borra Minnevitch and gang, Harrison Sisters, Peg Leg Bates, Bert Walton, Clemens Belling Company; "You're Out of Luck" and "Misbehaving Husbands" 3 days. Gross: $8,200. (Average, $8,000)
"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
KEITH MEMORIAL—(2,907) (25c-35c-40c-55c) 7 days, 4th week. Gross: $12,500. (Average, $16,000)
"Victory" (Para.)
"Life with Henry" (Para.)
METROPOLITAN—(4,367) (25c-35c-40c-55c) 7 days. Gross: $13,000. (Average, $15,500)
"Go West" (M-G-M)
"Haunted Honeymoon" (M-G-M)
PARAMOUNT—(1,797) (25c-35c-40c-55c) 7 days. Gross: $9,000. (Average, $7,500)
"Go West" (M-G-M)
"Haunted Honeymoon" (M-G-M)
FENWAY — (1,320) (25c-35c-40c-55c) 7 days. Gross: $4,800. (Average, $4,500)
"Santa Fe Trail" (W. B.)
"Night at Earl Carroll's" (Para.)
SCOLLAY—(2,500) (25c-44c-55c) 7 days. Gross: $4,200. (Average, $4,000)
"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
LOEW'S STATE—(3,000) (25c-35c-40c-55c) 7 days. Gross: $17,500. (Average, $12,000)
"Gone with the Wind" (M-G-M)
LOEW'S ORPHEUM—(2,900) (40c-55c) 7 days, 2nd week. Gross: $28,000. (Average, $17,500)

Fleischer Starts Feature Cartoon

MIAMI, Feb. 6.—The Fleischer Studio here has started production on its second feature length cartoon. The feature, titled "Mr. Bug Goes to Town," will be in Technicolor, and will be a Paramount release.

Based on an original story, the film is expected to require 10 months to complete, employing about 700 artists, according to Dave Fleischer, production head and director of the film. The story is intended as a dramatic theme, concerning a group of insects whose home is a patch of earth just off Broadway.

Skouras to Washington

Spyros P. Skouras, president of National Theatres and president of the Greek War Relief Association, flew to Washington last night to confer with Greek Ambassador Kiman Diamontopolous about future plans for civilian relief in Greece.

'Boudoir,' New Play Is Opening Tonight

Jacques Chambrun's production of "Boudoir," a new play by Jacques Deval, opens tonight at the Golden with Helen Twelvetrees, Taylor Holmes and Else Argal in the top roles.

OH, BOY, I BEEN EAVESDRIPPIN' ON NEIL AGNEW AND HE SAYS...

INTER-COMMUNICATION

To TO ALL SALES EXECUTIVES: FROM NEIL AGNEW

First reports on "VIRGINIA" are as follows:

LYNCHBURG (1 wk.)	— 75% over "N.W.M.P."
CHARLOTTESVILLE(1wk.)	— 70% over "N.W.M.P."
NEWPORT NEWS (1 wk.)	— 50% over "N.W.M.P."
RICHMOND (1 wk.)	— 25% over "N.W.M.P.", which played at advanced prices
NORFOLK (1 wk.)	— Tops "N.W.M.P.", which played at advanced prices
WASHINGTON (5 days)	— Equals "N.W.M.P." take and outgrosses "Road to Singapore" "Union Pacific", "Love Thy Neighbor"
NEW YORK (1 wk.)	— Outgrosses "Love Thy Neighbor" "Arise My Love", "Road to Singapore"

Signed Neil Agnew

WILMER
CORPO
EXECU
1776 B
NEW YORK CITY
SIDNEY WILMER

Paramount Pictures, Inc.,
1501 Broadway,
New York City

Gentlemen:

Business on VIRGINIA at Richmond and Norfolk indicates that Paramount has batted another home run. With bad weather and without the benefit of any holiday, business is topping NORTHWEST MOUNTED POLICE.

We are looking forward to a second big week and are confident that we will get it.

Very truly yours,
WILMER & VINCENT CORPORATION

J D Eagan

JDE:G.

Paramount presents

"VIRGINIA" IN TECHNICOLOR!

MADELEINE CARROLL · FRED MacMURRAY

with Stirling Hayden · Helen Broderick
Marie Wilson · Carolyn Lee

Screen Play by Virginia Van Upp · Based on a Story by Edward H. Griffi
and Virginia Van Upp · Produced and Directed by EDWARD H. GRIFFIT

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 28 NEW YORK, U. S. A., MONDAY, FEBRUARY 10, 1941 TEN CENTS

'U' Production Budget Raised By $2,500,000

Chicago Meeting to Get New Lineup Today

CHICAGO, Feb. 9.—Universal's production budget for the 1941-'42 season will be increased by approximately $2,500,000 over the current season's budget, the company's district and branch managers in convention at the Blackstone Hotel here were informed yesterday by Nate J. Blumberg, president.

The increase, following upon one of $2,000,000 last year, will provide the studio with $4,500,000 more of production funds than were available to it for the 1939-'40 program, it was pointed out.

The company's new season production schedule, insofar as definite commitments entered into thus far will permit, will be disclosed to the meeting tomorrow by William A. Scully, vice-president and general sales manager. Scully opened the meeting Saturday morning and is presiding over the sessions. About 100 Universal home office and studio executives, district and branch managers and Canadian representatives are here for the convention, which will end tomorrow.

The first two days of the session were devoted to discussion of the 29 features which Universal will release

(Continued on page 4)

Zukor Chairman of Greek Relief Drive

Adolph Zukor, chairman of the Paramount board, has accepted the chairmanship of the amusement industry division of the Greek War Relief Association, headquarters of which have been opened in the Paramount Building.

Zukor announced that the following will serve on the advisory committee: Will H. Hays, Martin Quigley, Sidney R. Kent, Sam H. Harris, Joseph Bernhard and W. G. Van Schmus.

Gradwell L. Sears is chairman of the distributors' committee and John H. Harris, chairman of the exhibitors' committee. The country has been divided into 12 zones and the chairmen are: Arch M. Bowles, John J. Friedl, Harry M. Kalmine, M. A. Lightman, M. J. Mullin, R. J. O'Donnell, Elmer C. Rhoden, E. V. Richards, Frank H. Ricketson, Jules J. Rubens, J. R. Vogel and R. B. Wilby.

Nominations for Academy Awards Are Announced

HOLLYWOOD, Feb. 9.—Nominations for the Academy Awards of 1940, from which the prize winners will be decided at the annual banquet here on Feb. 27, are as follows:

Outstanding Production—"All This, and Heaven Too," "Foreign Correspondent," "Grapes of Wrath," "The Great Dictator," "Kitty Foyle," "The Letter," "The Long Voyage Home," "Our Town," "The Philadelphia Story," "Rebecca."

Best Performance by Actor—Charles Chaplin in "The Great Dictator"; Henry Fonda in "Grapes of Wrath"; Raymond Massey in "Abe Lincoln in Illinois"; Laurence Olivier in "Rebecca"; James Stewart in "The Philadelphia Story."

Best Performance by Actress—Bette Davis in "The Letter"; Joan Fontaine in "Rebecca"; Katharine Hepburn in "The Philadelphia Story"; Ginger Rogers in "Kitty Foyle"; Martha Scott in "Our Town."

Basserman Nominated

Best Performance by an Actor in Supporting Role—Albert Basserman in "Foreign Correspondent"; Walter Brennan in "The Westerner"; William Gargan in "They Knew What They Wanted"; Jack Oakie in "The Great Dictator"; James Stephenson in "The Letter."

Best Performance by an Actress in Supporting Role—Judith Anderson in "Rebecca"; Jane Darwell in "Grapes of Wrath"; Ruth Hussy in "The Philadelphia Story"; Barbara O'Neil in "All This, and Heaven Too"; Marjorie Rambeau in "Primrose Path."

Best Direction—John Ford for "Grapes of Wrath"; Sam Wood for "Kitty Foyle"; William Wyler for "The Letter"; George Cukor for "The Philadelphia Story"; Alfred Hitchcock for "Rebecca."

Best Original Motion Picture Story—Benjamin Glazer and John S. Toldy for "Arise My Love"; Walter Reisch for "Comrade X"; Dore Schary and Hugo Butler for "Edison the Man"; Bella Spewack, Samuel Spewack and Leo McCarey for "My Favorite Wife"; Stuart N. Lake for "The Westerner."

Name Nunnally Johnson

Best Written Screenplay—Nunnally Johnson for "Grapes of Wrath"; Dalton Trumbo for "Kitty Foyle"; Dudley Nichols for "The Long Voyage Home"; Donald Ogden Stewart for "The Philadelphia Story"; Robert Sherwood and Joan Harrison for "Rebecca."

Best Original Screenplay — Ben Hecht for "Angels Over Broadway"; John Huston, Heinz Herald and Norman Burnside for "Dr. Ehrlich's Magic Bullet"; Charles Bennett and Joan Harrison for "Foreign Correspondent"; Charles Chaplin for "The Great Dictator"; Preston Sturges for "The Great McGinty."

U.S.-Ascap Decree Talks to Continue

WASHINGTON, Feb. 9.—Settlement of the Government's litigation against Ascap remained a possibility today following two days of conferences here between officials of the society, 20 members of its board of 24 and Department of Justice officials.

Board members on Friday discussed what they regard as commercially disastrous proposals in the Government's demands for a consent decree with Department officials, and on Saturday attorneys for the society explored the possibilities of compromises of those demands with the Government.

Producers Studying New English Plan

LONDON, Feb. 9.—Despite confusion in trade circles, it has been ascertained that the British producers have held a meeting giving consideration to the Government plan for a Films Commission, which would virtually control the British industry.

However, no report has been made as yet. The labor unions, also vitally concerned in the plan, have as yet arranged no joint conference with the producers or special meetings on the matter.

It is understood that the groups believe that everything depends upon the personnel of the commission whether it will benefit the industry.

Complaint in Capital First Under Decree

Baltimore House Names 20th-Fox Warners

WASHINGTON, Feb. 9.—The first petition for arbitration of a complaint under the industry's Federal consent decree was filed at the local arbitration board here on Friday.

The complainant is the Walbrook Amusement Co. of Baltimore, Thomas D. Goldberg, president. The company operates the Walbrook Theatre in that city.

In the complaint filed with H. B. Barton, manager of the local arbitration office here, arbitration is asked to settle a clearance controversy with Vitagraph, Inc., and 20th Century-Fox. The other Baltimore theatres involved are the Ambassador, Forrest and Gwynn.

The first complaint was filed just as the first week of operation of the industry's 31 local boards set up under the consent decree was coming to an end. No complaints were filed anywhere else in the industry during the first week the 31 boards were open.

It is estimated that a hearing on the complaint can be had in about

(Continued on page 4)

Paramount Doubles Earnings for Year

With 1940 earnings estimated at $7,617,000 Paramount nearly doubled its net of $3,874,000 for the preceding year, it was disclosed by the company's report issued over the weekend. The result is Paramount's best in 10 years.

The Paramount board on Friday declared a 20-cent dividend on the 2,465,927 shares of common stock outstanding, together with a quarterly dividend of $1.50 per share on the first preferred stock and a dividend of 15 cents per share on the second preferred. The dividends are payable April 1 to common stockholders of record on March 14 and to preferred holders of record on March 11.

Paramount's earnings for the fourth quarter of 1940, after all charges including Federal taxes and interest, are estimated by the company at $2,807,000, compared with net of $1,030,000 for the corresponding quarter of the preceding year. Estimated earnings for the 1940 quarter do not includ $381,000, representing a partial d

(Continued on page 4)

Keeping Busy

St. John, N. B., Feb. 9.—A man of diversified interests is R. G. March, manager of the local 20th Century-Fox exchange. He heads the Film Center Building, is part owner of the Capitol, Sussex, N. B., is part owner of a lobster cannery of the Gulf of St. Lawrence, and as for a hobby, he is the official master of ceremonies and song leader for the St. John Rotary Club.

Detroit Fox Polling Patrons On Duals

DETROIT, Feb. 9.—A poll of patrons to determine preferences for single or double features has been started at the Fox here.

Patrons are being asked to cast ballots which will be counted when the week closes next Thursday. Under the test policy, Jackson S. Hurford, manager, has arranged a program of two features plus "Information, Please," featuring Wendell Willkie for three shows up to 7:15 P. M. For two evening shows only one feature plus "Information, Please" will be screened.

"Back Street" is the main feature for the evening show, with "Youth Will Be Served" as the added afternoon feature.

Ufa Reports Year's Net 1,700,000 Marks

Ufa, Germany's leading film company, reported over the weekend, according to press dispatches, net profit for the fiscal year 1939-1940 to May 31, last, of 1,700,000 marks, against 470,000 marks the previous year. Gross turnover was given at 166,180,000 marks, compared to 142,410,000 previously. Dividends were still withheld.

Theatres enjoyed greater attendance during the fiscal year in Germany, it was reported, chiefly because of war newsreels. Twenty-seven features were produced, against 30 the previous year; one foreign language feature, against six; 18 shorts, against 15; 32 German culture films, against 28; 87 industrial films, against 125.

AFM Passes Over Ascap-BMI Battle

MIAMI, Feb. 9.—Executive officers of American Federation of Musicians ended their annual mid-Winter session here Friday with no action taken on the Ascap-BMI situation. Most of the business transacted concerned appeals from local unions, officials said.

J. W. Parks was appointed to represent the A.F.M. in Washington on all matters affecting the WPA music project. The meeting was attended by nine delegates and two honorary delegates.

To Advise on 'One Foot'

Rev. Norman Vincent Peale, pastor of the Marble Collegiate Church, New York, has been selected by a group of Protestant clergymen to act as adviser on the film Warners are producing from the book by Hartzell Spence, 'One Foot in Heaven."

Personal Mention

LOUIS PHILLIPS, Paramount home office attorney, is expected back from an extended Western trip this week.

•

LOU POLLOCK, Universal Eastern advertising and publicity director, will remain in Florida for a few weeks' vacation.

•

MAUREY L. ASHMANN, general manager of Five Boro Circuit, will leave for a two-week Southern vacation today. Upon his return ASHMANN will be connected with the Brooklyn division of the Interboro Circuit, the parent company.

•

WILLIAM A. KEYES, operator of the Victory in Dayton, and president of the Ohio Real Estate Association, is addressing meetings of realtors throughout the state.

•

BEATRICE LEVENSTEIN, clerk at the Warner New Haven exchange for four years, has married HARRY QUINT. Her place at the exchange has been taken by WILLIAM DWYER.

•

LORETTA BYRNE of the New Haven M-G-M exchange, has resigned to move to Denver, and is replaced by EILEEN TIERNEY.

•

MONROE GREENTHAL arrived from the Coast yesterday.

JAMES MULVEY, SAMUEL GOLDWYN'S Eastern representative, left for the Coast over the weekend.

•

EDWARD C. RAFTERY, United Artists counsel, is expected tomorrow from a business trip in the Southwest.

•

MORT BLUMENSTOCK, Eastern advertising and publicity head for Warners, and MITCHELL RAWSON, publicity manager, returned today from Washington.

•

FRED MARTIN, assistant manager at Loew's State in Norfolk, Va., has been ordered up for a year's military training.

•

ROBERT E. RUSSELL, manager of the Loew-Poli in New Haven, will celebrate his 22nd anniversary with the Poli circuit on Valentine's Day.

•

HARRY F. SHAW, Loew-Poli division manager in New Haven, will sail on the *Cristobal* March 6 for a vacation in Panama.

•

ROBERT YODICE, assistant manager of Loew's State in Cleveland, is the father of a daughter, born last week at Lakeside Hospital.

•

MAURICE WHITE, head of Libson-White Theatres, Cincinnati, is due here this week on a business trip.

British Distributors Drop Report Forms

LONDON, Feb. 9.—Following joint meetings of representatives of the Cinematograph Exhibitors Association and Kinematograph Renters Society, on relief for exhibitors as a result of problems arising from war conditions, it has been decided by the K.R.S. to abandon the use of detailed report forms which it was intended exhibitors should submit when seeking relief.

Such forms will only be used in extreme cases. It is understood the members of the London and Home Counties Branch of the C.E.A., which first raised objections to the K.R.S. plan, are now satisfied with the situation. Individual problems are to be left to separate arrangements between the individual distributor and exhibitor.

23 RKO Branches Over Drive Quota

Twenty-three RKO exchanges went over their quota in the first week of the Ned Depinet Drive. Atlanta, H. M. Lyons, manager, was the leader, with the next four, in their order of finish, Boston, Philadelphia, Buffalo, Des Moines. The Northeastern district, headed by Gus Schaefer, led the eight districts, while the Eastern division, of which Robert Mochrie is sales manager, led the divisions.

Conway Acquires Theatre

PHILADELPHIA, Feb. 9. — Joseph Conway, operator of the suburban Egyptian and national Allied director, has taken over operation of the suburban Brookline from Joseph Hebrew. Two other houses in the area will be added shortly to the independent circuit Conway is setting up.

9,000 Men in Camp Fill Canada House

SUSSEX, N. B., Feb. 9.—The quartering of about 9,000 soldiers in training here, has produced capacity business for the local Capital. The number of soldiers camped here was boosted from 1,500 to 9,000 in the early Winter, and there is a probability that further increase will be made to about 14,000 before the end of the Winter. The daily opening of the theatre has been advanced from 7 P. M. to 5 P. M. because of the demand from the army men for screen entertainment.

Club in Cincinnati Is Headed by Onie

CINCINNATI, Feb. 9.—William Onie, Monogram manager, elected first assistant chief barker of the local Variety Club in December, has advanced to chief barker, succeeding John M. Allen, M-G-M salesman, who went to Washington as branch manager.

Committee chairmen appointed for 1941 are: Mike Greenberg; publicity, Noah Schecter; finance, William Koegel; membership, James J. Grady; welfare, Harry J. Wessel; entertainment, Arthur Frudenfeld; law, Albert Weinstein.

Para. Renews Series

HOLLYWOOD, Feb. 9.—Scientific Films yesterday signed a deal with Paramount for another series of novelty shorts entitled "Speaking of Animals."

Set 'Highway' Cast

HOLLYWOOD, Feb. 9.—Brenda Marshall, William Lundigan and Olympe Bradna will head the cast in Warners' forthcoming "Highway West."

Aid for Comedians

Mexico City, Feb. 9.—Stage groups have petitioned President Manuel Camacho, asking that the old Cine Diaz de Leon here be used exclusively for stage shows, rather than films. The petition further requests that the house present comedies only, since there are so many comedians unemployed in Mexico.

Decision Reserved In Phila. Games Suit

PHILADELPHIA, Feb. 9.—Judge Eugene C. Allessandroni reserved decision in Common Pleas Court Friday on the legality of audience participation games with cash prizes, but told exhibitor attorneys who appeared in the case that "I am not fundamentally in sympathy with this sort of thing."

Hitting at exhibitors for cluttering up the courts with the problems of determining the legality of film games, the judge remarked: "What I would like to know is what guarantee the audience has that the management is honest, that the management won't place a couple of 'plants' in the audience to win the prizes."

LaCrosse Hearings Will Resume Feb. 17

MADISON, Wis., Feb. 9.—Hearings will be resumed in Federal District Court here Feb. 17 in the LaCrosse Theatres Corp. suit to recover $1,476,900 from each of three major companies, Paramount, 20th Century-Fox and United Artists, for alleged restraint of trade.

Robert Hesse, attorney who has been representing LaCrosse, which controls five theatres joining as plaintiffs in the action, obtained postponement of the hearings here last December due to illness.

'Jungle Book' to Start

HOLLYWOOD, Feb. 9.—Alexander Korda will start production soon on his screen version of Kipling's "Jungle Book" with Sabu in the top role.

Change Warner Title

HOLLYWOOD, Feb. 9.—Title of the Warner film, "No Hard Feelings," has been changed to "A Shot in the Dark."

MOTION PICTURE
DAILY
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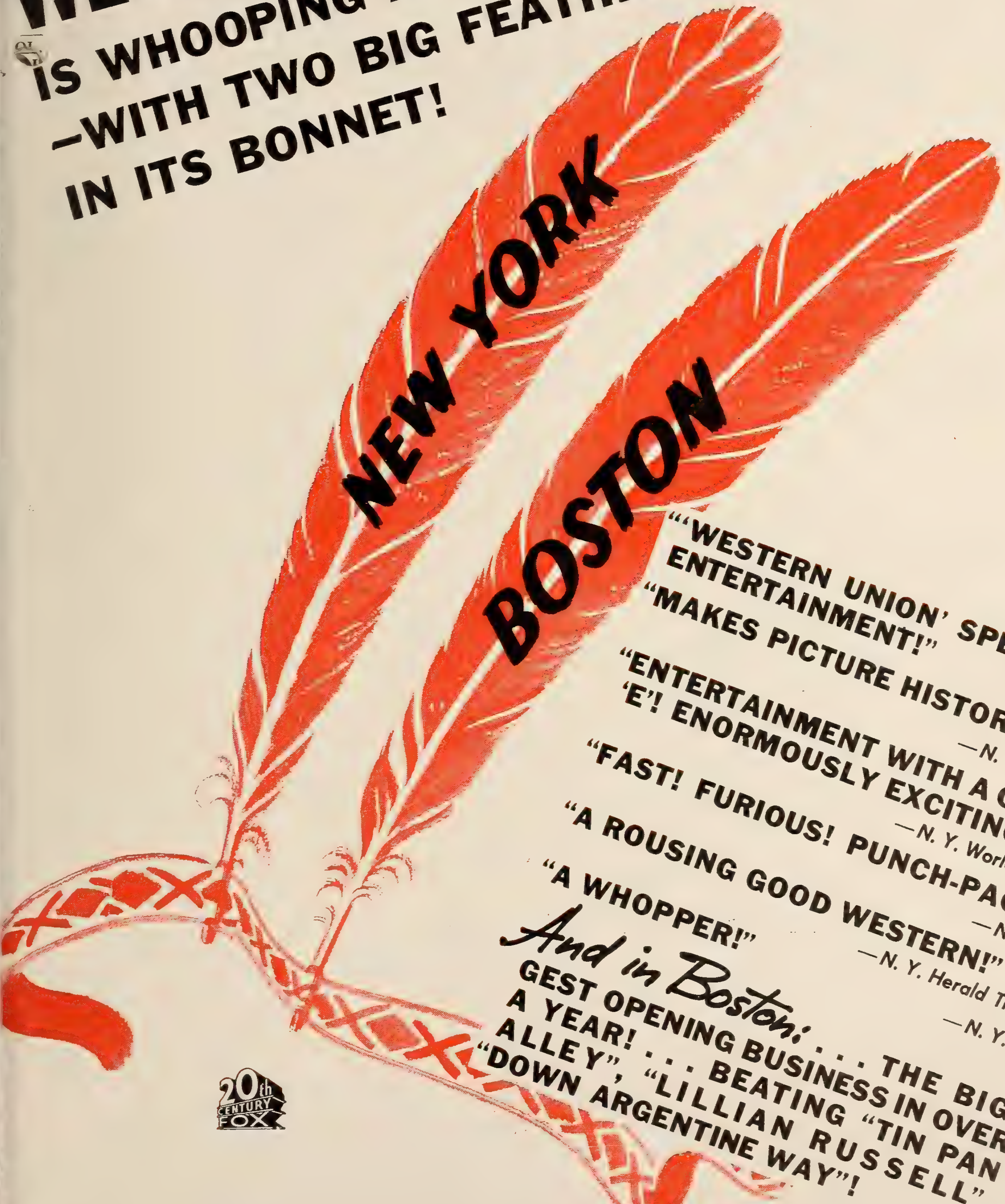
"WESTERN UNION"

IS WHOOPING IT UP —WITH TWO BIG FEATHERS IN ITS BONNET!



"'WESTERN UNION' SPECTACULAR ENTERTAINMENT!" —N. Y. Times

"MAKES PICTURE HISTORY!" —N. Y. Daily Mirror

"ENTERTAINMENT WITH A CAPITAL 'E'! ENORMOUSLY EXCITING!" —N. Y. World-Telegram

"FAST! FURIOUS! PUNCH-PACKED!" —N. Y. Post

"A ROUSING GOOD WESTERN!" —N. Y. Herald Tribune

"A WHOPPER!" —N. Y. Sun

And in Boston: . . . THE BIGGEST OPENING BUSINESS IN OVER A YEAR! . . . BEATING "TIN PAN ALLEY", "LILLIAN RUSSELL", "DOWN ARGENTINE WAY"!

20th CENTURY FOX

One of the Big Money-Making Pictures of the Year!

'U' Production Budget Raised By $2,500,000

(*Continued from page 1*)

during the remainder of this season, and to sales plans for the most important productions among the group. In addition to Blumberg and Scully, the meeting has heard from Cliff Work, studio head; Joe Pasternak, J. Cheever Cowdin, Charles D. Prutzman and Adolph Schimel, F. J. A. McCarthy, W. J. Heineman and John Joseph.

Blumberg told the meeting that "If there is a 'bottleneck' in the business today, it's in the theatre which fails to do a showmanly job of selling the product."

"Exhibitors," he said, "must come to realize that all we can do is make the finest pictures we know how, make them available when they are needed, and interject in them that certain something that is called box-office appeal. After that it's the exhibitor's job to make the public come to his theatre to see them."

Blumberg said every good salesman should make it his business to encourage and plead for more showmanship in the theatre he contacts.

Scully revealed that the company this season has attained a 10 per cent increase in number of accounts sold over last season. He asserted that even larger gains are expected for the 1941-'42 season.

Work said the product condition of the company on Sept. 1, starting off the new selling year, will be even better than last year when the company showed the largest number of completed pictures in its history.

Omaha Gives 'Story' Good $10,100 Gross

OMAHA, Feb. 9.—Grosses were very good at first run houses this week, aided by clear, warm weather. "Philadelphia Story" was good for $10,100 at the Omaha on a single-feature policy.

Estimated takings for the week ending Feb. 5-6:

"This Thing Called Love" (Col.)
"Escape to Glory" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,400. (Average, $4,000)
Philadelphia Story" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $10,100. (Average, $6,000)
"Hudson's Bay" (20th-Fox)
"Night at Earl Carroll's" (Para.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $8,200. (Average, $7,200)

It Worked

Lincoln, Feb. 9.

THE Varsity Theatre here ran a newspaper ad urging the public to see "Gone With the Wind" at the competitive Stuart because "it is a tribute to the industry." The ad also stressed the Varsity's attraction.

The ad was effective at least for the Stuart, with a block-long line one hour before opening time.

'Aldrich' and Show $12,000, Cincinnati

CINCINNATI, Feb. 9.—A stage show at the RKO Shubert helped "Aldrich Family in Life With Henry," screen attraction, to $12,000, while "Mr. and Mrs. Smith" did $12,500 at the RKO Albee.

"Mr. and Mrs. Smith" (RKO)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $12,500. (Average, $12,000)
"Victory" (Para.)
RKO PALACE — (2,700) (33c-40c-50c) 6 days. Gross: $6,000. (Average, 7 days, $10,000)
"Aldrich Family in Life With Henry" (Para.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Ada Leonard and orchestra. Gross: $12,000. (Average, $10,000)
"Arizona" (Col.)
RKO CAPITOL — (2,000) (33c-40c-50c) 7 days. 2nd week. Gross: $3,800. (Average, $5,500)
"Honeymoon for Three" (W.B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $5,400.
"This Thing Called Love" (Col.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. 2nd week. Gross: $3,500. (Average, $4,500)
"Barnyard Follies" (Rep.)
"Doomed Caravan" (Para.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,300. (Average, $1,200)
"Friendly Neighbors" (Rep.)
"Girls Under 21" (Col.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Second Chorus" (Para.)
KEITH'S — (1,500) (33c-40c-50c) 7 days. 2nd week. Gross: $3,100. (Average, $5,000)

'Wind' Baltimore's Leader at $20,000

BALTIMORE, Feb. 7.—A week of good business was reported by all first runs. "Gone With the Wind" did $20,000 in its second week at the Century. "This Thing Called Love," with a Major Bowes unit on the stage of the Hippodrome, took $17,000.

Estimated takings for the week ending Feb. 6:

"Gone With the Wind" (M-G-M)
CENTURY—(3,000) (40c-55c) 7 days, 2nd week. Gross: $20,000. (Average, $10,000)
"Buck Privates" (Univ.)
KEITH'S—(2,406) (15c-28c-35c-55c) 7 days. Gross: $9,000. (Average, $9,000)
"Maisie Was a Lady" (M-G-M)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $7,500. (Average, $7,000)
"Santa Fe Trail" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $13,000. (Average, $11,000)
"This Thing Called Love" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. On stage, Major Bowes Unit. Gross: $17,000. (Average, $14,000)

Paramount Doubles Earnings for Year

(*Continued from page 1*)

tribution of its share of earnings of non-consolidated subsidiaries for previous quarters.

The estimated earnings for the year include $974,000 representing the company's share of undistributed earnings of non-consolidated subsidiaries and $98,000 profit on purchase of debentures. Earnings for the fourth quarter are equivalent to $1.02 per share on the common, and for the year to $2.63 per share.

Plan Naval Base Theatre

NORFOLK, Va., Feb. 9.—Tentative plans have been set for a $500,000 recreation center at the Naval Operating Base here, which will include a 2,000-seat film theatre. The center will replace the 1,500-seat post theatre destroyed in a recent fire.

Complaint in Capital First Under Decree

(*Continued from page 1*)

three weeks' time if there are no intervenors in the case. If there are, however, a hearing probably could not be held for a month.

Operated House 20 Years

BALTIMORE, Feb. 9.—Thomas Goldberg, president of the Walbrook Theatre Co.. who filed the first complaint under the industry arbitration system at the local board for this district in Washington on Friday, has been operating the Walbrook here for 20 years.

Goldberg said the complaint, against Warners and 20th Century-Fox, is based on his belief that the seven days' clearance granted the Ambassador, Forrest and Gwynn Theatres by the two distributors is unreasonable. Goldberg's Walbrook always has had 21 days subsequent run clearance after first run houses, but the three theatres involved in the complaint, which were built in later years, are said to have been given seven days' clearance over the Walbrook by the two distributors. The three houses are operated by the Frank H. Durkee Circuit.

Goldberg said that M-G-M and Paramount, whose product also plays the theatres involved, have maintained the original clearance schedule and so are not named in his complaint.

Goldberg retained J. Purdum Wright, who is also attorney for the Public Service Commission of Maryland, to handle the complaint. Wright said after reading the decree: "If these contracts are valid, then the decree is no good."

'Girl,' Holtz Group $11,000, Milwaukee

MILWAUKEE, Feb. 9.—Best grosser in an average week was "Where Did You Get That Girl?" on the screen and Lou Holtz, Lola Lane and Arline Judge on the stage of the Riverside, with $11,000.

Estimated takings for the week ending Feb. 6:

"Go West" (M-G-M)
"Angels Over Broadway" (Col.)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $5,700. (Average, $4,000)
"Where Did You Get That Girl?" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Lou Holtz, Lola Lane, Arline Judge. Gross: $11,000. (Average, $6,500)
"This Thing Called Love" (Col.)
"Hudson's Bay" (20th-Fox)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,100. (Average, $1,500)
"The Son of Monte Cristo" (U. A.)
"No, No, Nanette" (RKO)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,400. (Average, $4,500)
"Flight Command" (M-G-M)
"Keeping Company" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $7,800. (Average, $5,500)

Smakwitz Wins Contest

Charles Smakwitz of the Strand, Albany, N. Y., has been named the winner of the nationwide contest for the outstanding exploitation campaign in a theatre on the Hal Roach-United Artsits film, "One Million B. C." The prize, a Buick car, will be awarded shortly.

Showmanship Flashes . . .

Breakfast Show for Office Girls Aids 'Foyle'

GREELEY, Col., Feb. 9.—For his campaign on "Kitty Foyle," Ed Vaughn, manager of the Chief here, featured a "breakfast show for white-collar girls." Coffee and doughnuts were served following the early morning screening. A total of 5,000 blotters on the show were distributed to downtown business offices.

Papers Aid 'Liberty' by Publicizing Its Opening

HARRISBURG, Pa., Feb. 9.—The *Telegraph* and the *Evening News* here, in helping to publicize "Land of Liberty" in a tieup with the Senate, where the film was being shown, published special British War Relief editions, devoting the entire front page to the premiere of the film. All leading organizations in the city participated in the opening, and a proclamation was issued by the mayor. Net proceeds of the first performance were turned over to British relief agencies. Robert Sidman, Senate manager, and James Ashcraft of M-G-M, arranged the newspaper tieup.

Sidewalk Interviews Used for 'Voyage'

PHILADELPHIA, Feb. 9.—Joseph D. Nevison, manager of Warners' Bromley, conducted a sidewalk broadcast interview in front of the theatre for "The Long Voyage Home." Questions pertaining to the picture were asked passersby. The six listeners who were the greatest distance from Philadelphia when they heard the broadcast were awarded copies of the Eugene O'Neill sea stories.

Military Preview Is Held on 'Flight Command"

PHILADELPHIA, Feb. 9.—Everett Callow, Warner Theatres exploitation chief here, arranged a military preview for "Flight Command," prior to its opening at the Stanley. The picture was shown before a special audience of officers and commandants at the Philadelphia Navy Yard in the Officers' mess. Local critics also attended.

Signs and Contest Are Used on 'Neighbor' Date

GETTYSBURG, Pa., Feb. 9.—Syd Poppay, manager of the Majestic, in selling "Love Thy Neighbor," used 25 Jello signs in and outside the city plugging the play date, and a guessing contest, staged by a local grocery store, with the contestants guessing the number of Jello packages piled in the store window. In addition, an old car done up to look like Jack Benny's old Maxwell was placed in front of the theatre with appropriate copy to attract attention.

Cooperative Ad, Contest Are Used on 'Come Live'

KENOSHA, Wis., Feb. 9.—Louis E. Nye, manager of the Gateway Theatre here, promoted a full-page cooperative newspaper advertisement and a contest in connection with the promotion of "Come Live With Me." Fifty passes were awarded for the best answers to the question, "How Can a Young Married Couple Live Happily on $22.80 a Week?" Contestants were required to write 100 words or less.

"TEN BEST" ALL ON EASTMAN FILM

EVERY one of the Ten Best Pictures, selected in the *Film Daily's* critics poll for 1940, was made on Eastman Negative Films. This impressive record speaks for itself. In 1941, these exceptional films will continue to contribute to the success of outstanding screen productions. Eastman Kodak Company, Rochester, N.Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Short Subject Reviews

"Unusual Occupations, LO-3"

(Paramount)

Really unusual and interesting material has been filmed here in color. The first subject, given thorough treatment, is a California girl who makes beautiful ornamental dolls. Following are a mechanical elephant in Oklahoma, Speedster Ab Jenkins in a record-breaking run, a New York man employed to make mattresses comfortable and a miniature village. Finally, and most amusing, is a Hoosier who creates a variety of bubbles. Running time, 10 min.

"Gene Krupa and His Orchestra"

(Paramount)

The maestro, accepted as the hottest drum stick wielder of the nation, goes through the paces with such jitterbug delights as "Jungle Madness," "Hamtramck" and "Perfidia." Irene Daye and Howard Dulaney handle the vocals engagingly while the other members of the troupe play loud and "swingy." Running time, 11 mins.

"Bagdad Daddy"

(Universal)

This musical featurette is set in a harem with Fuzzy Knight, comic in many of Hollywood's sagebrush productions, the title character. Here, though, he is virtually inactive, merely reposing comfortably while a group of entertainers, including Gertrude Niesen, strives to please him. Miss Niesen sings one number entertainingly. The others on the program, Marion Wilkins, dancer; "Stop, Look and Listen," a singing trio; Mavis Mims, dancer, and Jack Gwynne, magician, are of the standard vaudeville act types. Running time, 17 mins.

"Mouse Trappers"

(Universal)

Andy and Papa Panda, cartoon characters, create a few laughs with the help of a mouse. Papa is first seen boasting of his exploits with wild animals when the mouse enters. His encounter with the mouse is occasionally amusing. Running time, 7 mins.

"Going Places, No. 86"

(Universal)

Here is a tour "South of the Border," with interesting off-screen comments about the history of each place visited. The short lacks color, however, which would have made it considerably more effective. Running time, 9 mins.

"Two for the Zoo"

(Paramount)

Here again is Gabby, the loquacious hero of "Gulliver's Travels." He has difficulty with a rare kangaroo which is consigned to the local zoo but because of interference escapes. Gabby was much funnier when he made his debut with Gulliver. Running time, 7 mins.

Feature Reviews

"The Monster and the Girl"

(Paramount)

TITLED "D. O. A.," short for "Dead On Arrival," during production, and released as "The Monster and the Girl" for purposes of pairing with "The Mad Doctor" on what the Los Angeles Paramount theatre billed as a "spook week" program, this picture contains seven murders, an execution, a galaxy of gangsters, some mystified police and a scientist who endows a gorilla with a man's brain, surgically, in the interests of humanity. The man whose brain is given to the gorilla has been executed for a murder he didn't commit and the gorilla, guided by the man's brain and memory, escapes and commits six murders by way of revenging himself upon those who contrived his conviction.

Preliminary to the operation by which the gorilla is given the human brain, a court room sequence, with flashbacks, relates the tale of a girl, victim of a mock marriage, whose brother, seeking the man who has wronged her, is present at his killing by another and is charged with the crime. After the execution, the scientist performs the operation on corpse and gorilla and from there on the beast roams the city, mangling his victims in sequence.

Ellen Drew, Robert Paige, Paul Lukas, Joseph Calleia, Onslow Stevens, George Zucco, Rod Cameron, Phillip Terry, Marc Lawrence, Gerald Mohr, Tom Dugan, Willard Robertson, Minor Watson, George F. Meader, Cliff Edwards and Skipper, a dog, are listed in the cast. Direction is by Stuart Heisler.

Running time, 63 minutes. "G."* ROSCOE WILLIAMS

"The Face Behind the Mask"

(Columbia)

BASED on a radio play, this melodramatic picture offers a moderate amount of entertainment for those whose tastes run to the active and slightly weird in screen fiction.

Peter Lorre is in the leading role as the immigrant whose hopes are dashed in this country when an accident in a fire mutilates his face, and who becomes a master thief in order to obtain the money to have a plastic operation. Failing that he wears a skin mask, finds a moment or two of happiness with a blind girl who loves him, then, when she is killed because of his past association with criminals, he pays his debt to them and to society at the same time on an Arizona desert.

Supporting Lorre are Evelyn Keyes as the blind girl; Don Beddoe as the detective who had befriended him, and to whom he repays his obligation by destroying the criminal gang; George E. Stone, as the man who proved his friend when he had none, and James Seay as the former gang leader who causes the death of the blind girl by a bomb trap set for Lorre.

Robert Florey wisely permitted Lorre to dominate the footage, and he works valiantly with a script which borders on the improbable.

Running time, 67 minutes. "G."* CHARLES S. AARONSON

"The Pinto Kid"

(Columbia)

HERE gunplay, hard riding and a few moments of Western melody, all typical of the standard Western, are presented earnestly in a creditable story. Robust Charles Starrett plays the hero smoothly enough and Louise Currie in a lesser role, which gives her little opportunity to display her ability, nevertheless contributes a good deal. The Sons of the Pioneers provide the melody.

Others involved in this tale of Texas cattlemen trying to sell their stock to prejudiced Kansans include Bob Nolan, Paul Sutton, Hank Bell, Francis Walker, Ernie Adams and Jack Rockwell. The Northerners are led to believe that all Texans are outlaws but Starrett and his group convince them to the contrary. The title seems hardly appropriate since there is no reference to such a character as "The Pinto Kid."

Running time, 61 minutes. "G."*

**"G" denotes general classification.*

Name Drive Winners

PHILADELPHIA, Feb. 9.—Winners of the business drive for the last quarter of 1940, conducted among managers of Atlantic Theatres, circuit headed by Ben Amsterdam, are: Gene Stutenroth, Fox, Burlington, N. J., first; Milton Marien, Fox, Riverside, N. J., second, and Leo Toner, Fox, Mount Holly, N. J., third.

Ohio Censors Order 47 Cuts in January

COLUMBUS, Feb. 9.—The Ohio censors reviewed a total of 646 reels in January, from which 47 eliminations were ordered. This compares with 412 reels and 29 eliminations in December, while in January, 1940, a total of 644 reels were reviewed, and 51 eliminations ordered.

Short Subject Reviews

"The Rodeo Goes to Town"

(20th Century-Fox)

Preparations for a rodeo form the subject matter here, with authentic bronco-busting, roping, wild [illegible]r riding and such seen in rapid sequence. The big show at Madison Square Garden brings the short to an exciting climax. There are many thrilling shots packed into this reel. Running time 10 mins.

"The Temperamental Lion"

(20th Century-Fox)

This color cartoon by Paul Terry tells of "Major Doolittle's" prize catch, a zany lion, which, upon arrival, is uncomfortably confined to a zoo. Ridiculed by the other inmates, he becomes desperate, escapes and settles accounts with the major. His antics lack originality. Running time, 7 mins.

"Mississippi Swing"

(20th Century-Fox)

Paul Terry here has an entertaining color cartoon burlesquing the familiar Old South scene of negroes picking cotton and harmonizing Stephen Foster melodies. A show boat attracts the folks and then a satirical minstrel show delights them. The cartoon is melodious and amusing and is always in good taste. Running time, 7 mins.

"What a Little Sneeze Will Do"

(20th Century-Fox)

This cartoon shows Oscar, a pig, strolling briskly and in perfect health. He sneezes and immediately countless friends recommend remedies. Taking these, he passes out and then finds himself in a land of medicine bottles. The short is somewhat pointless, with few laughs. Running time, 7 mins.

"A Village in India"

(Paramount)

Here is a unique travelogue which concentrates only on a village in India. It is a candid study of the Hindu inhabitants, depicting in color their strange customs and religious rituals. In the latter part of the reel, a quaint marriage ceremony is dramatically interrupted by a fire which destroys the entire village. The camera has been capably handled throughout. The short, one of the "Fascinating Journeys" series, should be enjoyed. Running time, 11 mins.

"Wild Oysters"

(Paramount)

An ingenious cartoon from the Max Fleischer studios, this has puppet-like characters performing in the typical cartoon story. It concerns itself with Mom and Pop Mouse, the latter seeking to procure food for the family and in so doing is attacked by a group of oysters who abandon their shells. Mom Mouse comes to the rescue. An unusual short, made in color, it should please. Running time, 11 mins.

Key Grosses Show Gains; $1,624,700 for 150 Houses

THEATRE receipts in recent weeks showed a reasonably strong trend upward, probably accounted for by the release of a number of outstanding pictures, in the key cities of the country.

A total of 150 theatres in a score of key cities reported an aggregate gross of $1,624,700 for the week ending Jan. 24-25, according to MOTION PICTURE DAILY'S compilation from weekly box-office reports of key city theatres. D[illegible]g the week ending Jan. 3-4, including the holiday period, a recent high w[illegible]eached of $1,723,700 from 139 houses. The combined grosses for the weeks of January show a marked increase over any since the start of the current season last September.

The following tabulation indicates the total gross each week and the number of theatres reporting since Jan. 1, 1940:

Week Ending	No. of Theatres	Total Gross
Jan. 5-6, 1940	159	$2,077,200
Jan. 12-13	145	1,333,150
Jan. 19-20	140	1,453,300
Jan. 26-27	151	1,507,800
Feb. 2-3	157	2,171,600
Feb. 9-10	157	2,025,300
Feb. 16-17	151	1,785,200
Feb. 23-24	154	1,777,300
March 1-2	160	1,810,700
March 8-9	159	1,794,700
March 15-16	154	1,590,400
March 22-23	156	1,504,100
March 29-30	157	1,790,600
April 5-6	147	1,463,500
April 12-13	153	1,467,700
April 19-20	143	1,355,300
April 26-27	143	1,321,800
May 3-4	148	1,347,900
May 10-11	150	1,299,000
May 17-18	148	1,184,400
May 24-25	134	1,048,100
May 31-June 1	147	1,260,900
June 7-8	138	1,189,600
June 14-15	133	1,090,300
June 21-22	129	1,123,200
June 28-29	119	975,100
July 5-6	127	1,330,800
July 12-13	115	1,150,400
July 19-20	109	1,028,600
July 26-27	108	932,400
Aug. 2-3	117	973,829
Aug. 9-10	113	1,029,656
Aug. 16-17	119	1,226,700
Aug. 23-24	124	1,326,300
Aug. 30-31	131	1,340,700
Sept. 6-7	131	1,545,900
Sept. 13-14	132	1,482,800
Sept. 20-21	136	1,343,800
Sept. 27-28	130	1,255,400
Oct. 4-5	127	1,264,300
Oct. 11-12	130	1,360,900
Oct. 18-19	131	1,359,400
Oct. 25-26	136	1,383,600
Nov. 1-2	131	1,302,600
Nov. 8-9	134	1,533,000
Nov. 15-16	126	1,285,000
Nov. 22-23	132	1,351,800
Nov. 29-30	136	1,446,000
Dec. 6-7	137	1,386,900
Dec. 13-14	133	1,253,200
Dec. 20-21	126	955,500
Dec. 27-28	128	1,106,500
Jan. 3-4, 1941	139	1,723,700
Jan. 10-11	140	1,697,500
Jan. 17-18	159	1,644,000
Jan. 24-25	150	1,624,700

(*Copyright*, 1941, *Quigley Publishing Company, Inc.*)

Plan Valentine Party

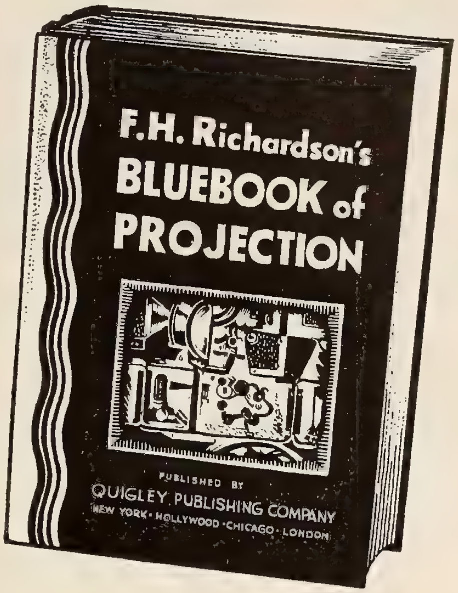
NEW HAVEN, Feb. 9.—The Loew-Poli ushers will hold a Valentine Day dance at the Seven Gables Inn here Feb. 14, with Harry F. Shaw, division manager; Lou Brown, publicity chief; Robert Russell, Loew-Poli manager; Nat Rubin, assistant; Sam Badamo, College manager, and William Reisinger, Bijou manager, as guests of honor. In charge of arrangements are Marshall Blevins, Jerry DeLise, Arthur DeFrank, and John Santillo.

New Edison Equipment

Color photography equipment has been installed at the Edison Motion Picture Studio here, according to Leon Levy, vice-president.

Theatre Firm Formed

ALBANY, Feb. 9.—Staten Amusement Corp., Manhattan, has been incorporated here by Benjamin R. Raphael, Jesse Chinich and Evelynne Kuhl.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2 New FM Stations Approved by FCC

WASHINGTON, Feb. 9.—The Federal Communications Commission has granted construction permits to the WFIL Broadcasting Co., Philadelphia, for an FM station on 45,300 kilocycles to cover 9,300 square miles with a population of nearly 4,000,000, and the South Bend *Tribune*, South Bend, Ind., for a station on 47,100 kilocycles to cover 4,300 square miles with a population of 448,000.

Construction permits for standard broadcasting transmitters were issued to the Clinton Broadcasting Co. for a 1,340-kilocycle, 250-watt station at Clinton, Iowa; Burlington Broadcasting Co. for a 1,490-kilocycle, 250-watt station at Burlington, Iowa; and *Courier-Post* Publishing Co. for a 1,340-kilocycle, 250-watt station at Hannibal, Mo.

Station WCLS, Joliet, Ill., was authorized to change frequency from 1,310 to 1,340 kilocycles and increase power from 100 to 250 watts, effective March 29. An application of Station WJAX, Jacksonville, for increase of night power from 1,000 to 5,000 watts was ordered set for hearing.

The commission has received applications from Stations WHCU, Ithaca, N. Y., for a change of frequency from 850 to 640 kilocycles and extension of time from day to limited, and WSKB, McComb, Miss., for change of frequency from 1,200 to 590 kilocycles.

Files Test Action on Dance Hall Records

A test suit to prevent the alleged unauthorized playing of records in public dance halls was filed Friday in N. Y. Supreme Court by the National Association of Performing Artists, group said to represent over 600 stars of music, radio, screen and stage, against Robert L. Douglas, trading as the Renaissance Ballroom. An application to dismiss the complaint for failure to state a cause of action was also filed.

The NAPA claims that the defendant leases its hall, records and phonograph to the public and that it has permitted the playing of a number of records performed by its members without the plaintiff's license. It seeks $50,000 damages, an injunction, and an accounting.

'Philadelphia' Pulls $13,000, New Haven

NEW HAVEN, Feb. 9.—"The Philadelphia Story," dualed with "Saint in Palm Springs," took $13,000 at the Loew-Poli. The Paramount with "Give Us Wings" and "Little Men" drew $5,000.

Estimated takings for the week ending Feb. 6:

"Gone With the Wind" (M-G-M)
COLLEGE—(1,499) (40c-55c) 7 days, 3rd week. Gross: $3,200. (Average, $2,700)

"The Philadelphia Story" (M-G-M)
"Saint in Palm Springs" (RKO)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $13,000. (Average, $8,000)

"Give Us Wings" (Univ.)
"Little Men" (RKO)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $5,000. (Average, $4,000)

"High Sierra" (W. B.)
"Six Lessons from Madame Lazonga" (Univ.)
ROGER SHERMAN—(2,200) (39c-0c) 7 days. Gross: $5,600. (Average, $5,000)

Off the Antenna

SPONSORSHIP of a radio program by dentists in the State of California, in which the dentists refer to themselves as "gentle dentists," violates no law in that State, it has been held on appeal in the case of Barron et al. vs. Board of Dental Examiners of California, 109 Cal. App. 382. In commenting upon the case, the New York *Law Journal* observes that truthful advertising by dentists is not prohibited in California and "apparently it was not made to appear that the respondents were not 'gentle dentists.' "

• • •

Purely Personal: *David Sarnoff, RCA president, will preside at a dinner of the Economic Club at the Hotel Astor this evening during a discussion of "How Far Shall We Go to Aid England?" . . . . Linton Wells, CBS commentator, left over the weekend for a lecture tour in the South. . . . . Harry Roesler has been named head of the Transradio Press office in Philadelphia.*

• • •

Another local station, this time WHOM, will attempt an all-night show. "Windy" Hogan and Frank Kreuger will handle the program, which will consist of recordings of both Ascap and BMI tunes. It is scheduled to start at midnight tonight and station executives said two sponsors were signed already, although the names were not given.

• • •

An eight-page brochure has been prepared by the National Association of Broadcasters calling attention to the role played by radio in election campaigns. Features of the booklet are letters from President Roosevelt and Wendell L. Willkie, both written after the campaign and testifying to the fairness of treatment received. An interesting tabulation compares the number of sets in use with the number of persons voting in national elections.

• • •

Program News: Thrivo Dog Food has renewed the Moylan Sisters Sundays at 5 P.M. over NBC-Blue, and Philadelphia Scrapple has renewed Olivio Santoro at 5:15 P.M. Sundays over the same network. . . . "Gasoline Alley," a dramatization of the comic strip will be heard Mondays at 6:45 P.M. over NBC-Red, sustaining, starting Feb. 17, with a special preview program at 6:30 P.M. Thursday. . . . Beeman's Pepsin Gum will sponsor Ben Grauer in "Drama Behind the News" over 69 NBC-Blue stations beginning next Monday. Grauer will be heard Mondays, Wednesdays and Fridays at 5:30 P.M. . . . "America in Transition," which will feature artists. scientists and technologists as guest speakers. will be heard Thursday at 3:45 P.M. over CBS beginning this Thursday.

11 More Stations Sign With Ascap

Eleven additional stations have signed five-year contracts with Ascap, John G. Paine, general manager, disclosed over the weekend. The additions make a total of 171 commercial stations signed thus far and with about 40 non-commercial stations which do not pay for their licenses, the number of stations authorized to play Ascap music is now 211.

"Ascap on Parade," a program sponsored by the society on several stations as a live show and by transcription on most of them, is now heard over a total of 112 stations.

The lastest commercial stations to sign with Ascap were WMSD, Muscle Shoals, Ala.; WTAL, Tallahassee, Fla.; KTRI, Sioux City, Ia.; KFNK, Shenandoah, Ia.; WJBW, New Orleans, La.; WITH, Baltimore, Md.; WFPG, Atlantic City, N. J.; WGTC, Greenville, N. C.; KFJI, Klamath Falls, Ore.; WMBS, Uniontown, Pa., and KVIC, Victoria, Tex.

BMI on Friday announced the acquisition of a catalogue from the Peer International Corp. consisting chiefly of Hawaiian numbers.

MPTOA Convention Details Set Shortly

Final arrangements for M. P. T. O. A.'s national convention will be completed by Ed Kuykendall, president, within the next few days. Indications are the meeting will be held in Los Angeles in late April or early May, depending upon the arrangements still to be made, Kuykendall said prior to his departure for his Columbus, Miss., home over the weekend.

Altec Deal Includes 45 St. Louis Houses

Harry Arthur, of the St. Louis Amusement Co., Fanchon and Marco, Ansell Brothers, Sam Shucart, Bess Schulter, John Caporal, Clarence Turley and Frank Speros have signed contracts with Altec Service Corp. for sound service and repairs and replacements for both sound and booth equipment in 45 St. Louis theatres.

These contracts were negotiated by Stanley Hand, Altec staff representative.

Hearings Held on Wis. Daylight Time

MADISON, Wis., Feb. 9.—Opponents and proponents of the Murray bill to legalize daylight saving time in Wisconsin aired their opinions before the State and Local Government Committee of the Senate here.

Appearing against the measure were exhibitor leaders representing circuits and independents alike, as well as labor and farm leaders. Among those who have gone on record against the bill, besides theatre men, are the Milwaukee Gardeners' Association, the Milwaukee Cooperative Milk Producers, the Wisconsin Council of Agriculture, the Madison Milk Producers' Association, the Equity Cooperative Livestock Sales Association, and the Central Labor Union.

Decca Records Sued

Decca Records, Inc., Jack Kapp, J. Mayo Williams, State Street Music Publishing Co., Chicago Music Co., and Record Artists Music Co., subsidiaries of Decca, are defendants in a suit for an accounting, filed in the New York Supreme Court by Ollie Sheppard, band leader. Plaintiff charges the breach of an alleged contract made in 1937.

Theatre Changes

Enlarge Ottawa Theatre

OTTAWA, Feb. 9.—The seating capacity of the Elgin Theatre here is being increased by 100, Lloyd Mills, 20th Century Theatres, Ltd., manager, has stated.

Reopen in New Britain

NEW BRITAIN, Conn., Feb [illegible]—Warners have reopened the Capitol here for Sunday showings only. The house has been closed for many years, with a week's opening last year. New Britain is an industrial center which is benefiting largely by defense activity.

Assistant in Philadelphia

PHILADELPHIA, Feb. 9.—Joseph Tittleman has been named assistant manager of Warners' Astor here.

Plan Two in Trenton

TRENTON, N. J., Feb. 9.—American Community Theatres, Inc., of New York, has announced plans to construct two new theatres here. Each structure will cost about $150,000. Bids are due shortly.

Lease House in Savannah

SAVANNAH, Ga., Feb. 9.—The old Arcadia Theatre here has been leased to the F. & W. Amusement Co. The site was under lease to the Lucas & Jenkins circuit until Jan. 1. The house will be completely remodeled.

Buy Theatre in Ohio

ATHENS, O., Feb. 9.—Wylie Minton and Ralph E. Smith of McArthur, O., have purchased the Vinton from Bruce Welch and J. E. Cox. No change in policy or operation is contemplated by the new owners.

Baltimore House Opened

BALTIMORE, Feb. 9.—The new Mayfair, equipped for television, has opened here. The house is owned by C. W. Hicks and is managed by Hal Warner, formerly with Loew's.

Plans Cincinnati Suburban

CINCINNATI, Feb. 9.—Robert L. Fitzwater has purchased a site for a 690-seat suburban theatre here, the plans for which have already been drawn.

Building Dayton Theatre

DAYTON, O., Feb. 9.—Paul Banker, one of the oldest exhibitors in point of service in this area, is building a 1,000-seat suburban house, which will constitute a part of the commercial sector of a new Federal housing project, under construction at nearby North Dayton. Completion of the theatre is scheduled for June 15.

Open Theatre in Reading

READING, Pa., Feb. 9.—Wilmer & Vincent, which recently leased the long idle Arcadia, have opened the house after remodeling as the New Ritz. The State here has been closed pending the completion of alterations and improvements, and its policy will be used by the New Ritz.

Sloan Adds Three

TRENTON, N. J., Feb. 9.—Alvin F. Sloan, of nearby Washington, has added three theatres in Hunterton, Sussex and Warren Counties to his circuit, now numbering 12 houses, controlled by the St. Cloud Corp.

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Films Beat Miami Slump, Bad Weather

Season Started Early, May Extend to May

By SAM SHAIN

MIAMI, Feb. 10.—Theatre owners believe that the Miami season will stretch into May, this year. The season also got an earlier start. By December, official reports show that hotels were jammed and transportation lines were running capacity trains. Bad weather during the past 10 days, rain and cold, slowed up general business but not at the theatres, where good product is standing up very strong under this unusual slump for everybody else.

Among films which are current are "Back Street," "Gone With the Wind," "Mr. and Mrs. Smith," "Hudson's Bay," "Vir-

(*Continued on page* 6)

New Schenck Pact Up at Meet Today

All 12 members of the board of directors of Loew's, Inc., are scheduled to be reelected at the annual meeting of the company's stockholders to be held at the home office today.

The meeting also is scheduled to act on a new five-year contract for Nicholas M. Schenck, president,

(*Continued on page* 6)

Gabe Yorke Joins 20th-Fox on Coast

Gabe Yorke has been appointed Western Division promotion manager for 20th Century-Fox, it was announced yesterday by Charles E. McCarthy, director of advertising and publicity. His headquarters will be in Los Angeles, where he will supervise promotion work in cooperation

(*Continued on page* 6)

Six Reviews Today

Six features are reviewed in this issue, as follows: "The Trial of Mary Dugan," "Road Show"—Page 5; "Ride Kelly Ride," "Quiet Wedding" (from London) — Page 6; "Meet the Chump," "Petticoat Politics."—Page 9.

Ascap Approves U. S. Decree in Principle

The Ascap board of directors during an all-day meeting yesterday considered consent decree proposals advanced by the Department of Justice at the weekend meeting in Washington between the board and officials of the Department. While officials refused comment, it was learned following the meeting that the board approved Government consent decree proposals in principle, with only minor points to be worked out. The board voted to discontinue the "Ascap on Parade" program which has been broadcast on four New York independent stations Saturday night.

Overbuying to Be Aired in Chicago

CHICAGO, Feb. 10.—Maintenance of admission prices at subsequent runs in relation to alleged overbuying is scheduled to be aired before the Chicago arbitration board shortly.

One of the first cases to be presented to the board is being prepared by the Bartelstein Bros. Circuit, which operates theatres in Chicago and one in the suburb of Cicero.

The complaint, according to spokesmen, will charge all major companies with having discriminated against Bartelstein Bros. in selling films to the Annetta in Cicero in favor of Schoenstadt, who operates the Palace, and the Lasker group, which has the Villas in Cicero.

Ben Bartelstein said that because of the present method of selling in Cicero, he has been forced to lower the admission prices at his theatre. The complaint is expected to be filed shortly.

B'way Box-Office Fair; 'Union' Sets Pace at First Runs

Unfavorable weather over the weekend weakened grosses along Broadway to a certain extent, but they maintained fairly good levels.

"Western Union" opened strong at the Roxy with a stage show on Thursday, and drew an estimated $34,000 for the first four days of the first week. It will be held for a second week. "Virginia," at the Paramount, with Glenn Miller's orchestra on the stage, garnered an estimated $23,000 on Saturday and Sunday, and is expected to clear about $49,000 for the second week. The bill will be held for a third stanza, beginning tomorrow.

The fifth and final week of "Kitty Foyle" will end tomorrow, with an estimated gross of $17,000. "Back Street" will open at the house tomorrow night. At the Music Hall, "Arizona" with a stage show, grossed an estimated $50,000 from Thursday through Sunday. It will be replaced by "This Thing Called Love" on Thursday.

"Honeymoon for Three" at the Strand with Ray Noble heading the stage show gave the theatre about $18,000 from Friday through Sunday, and will be held a second week. "Night Train," continuing at the Globe, drew an estimated $3,000 for Saturday and Sunday in its seventh week, after a sixth week which ended Saturday with an estimated $8,000. It will be held over for an eighth week.

"The Great Dictator" ended its 17th week at the Astor last night with an estimated $14,600. It continues on its two-a-day run at the house. A special Lincoln's Birthday performance will be held tomorrow at 6 P.M.

"Fantasia," now in its 14th week at the Broadway, completed its 13th week last Saturday with an estimated gross of $24,000.

F.C.C. IS STUDYING FOREIGN BROADCASTS AIMED AT U. S.

Washington, Feb. 10.—"Serious study" is being given European propaganda broadcasting directed at the United States, it was disclosed today by Chairman James L. Fly of the Federal Communications Commission.

He said, however, that the commission cannot disclose what steps, if any, will be taken to meet any serious situation that may arise, although there are several ways in which the problem could be dealt with.

Chairman Fly declared that the commission's surveillance of subversive use of radio does not indicate that the situation is acute although, he admitted, "pay dirt" has been struck in several instances and "some substantial amount" of equipment has been seized.

36 of 47 New Season Films Detailed by 'U'

Year's Earliest Meeting Ends in Chicago

CHICAGO, Feb. 10.—With 36 features of the 1941-'42 production schedule of 47 already designated, Universal today ended the earliest annual sales meeting held by a major company in many years.

In addition to the 47 features for next season, William A. Scully, Universal vice-president and general sales manager, told district and branch managers at the Blackstone Hotel here that the company also would release 14 action pictures, four serials, 69 short subjects, a special two-reel featurette and 104 issues of Universal Newsreel.

The schedule represents an increase of two features and 14 short subjects over the product lineup announced by Universal for the current season.

The three-day meeting was attended by a full representation of home office executives, headed by Nate J. Blumberg and J. Cheever Cowdin, and of studio executives headed by Cliff Work, Matthew Fox and John Joseph.

Indications are that regional sales meetings for Universal salesmen will

(*Continued on page* 9)

Bannon, Craddock Sales Aides at 'U'

CHICAGO, Feb. 10.—Changes and additions in the Universal managerial sales setup were announced here today by W. A. Scully, general sales manager.

Jack Bannon, formerly with National Screen Service and more recently reported to be joining the Paramount home office distribution

(*Continued on page* 9)

Home Offices' Half Holiday Tomorrow

Home offices of all major companies will have a half-holiday tomorrow, Lincoln's Birthday, for all employes, with the exception of 20th Century-Fox, which will remain closed all day. Other home offices will close at 1 P. M.

Coast Flashes

Hollywood, Feb. 10

FIRST of a projected series of 36 one-reel animated subjects on the war, with script and commentary by Raymond Gram Swing, has been completed and will be released shortly by Columbia, according to Lawson Harris, president of Cartoon Films, Ltd. Six of the films, in the series titled "This Changing World," are scheduled for release this season. All are in color.

•

George J. Schaefer, president of RKO, is due tomorrow for conferences with studio executives.

•

Herbert J. Yates arrived today from New York. He expects to remain four weeks, during which he will set Republic's production schedule for the quarter.

•

The million dollar damage suit filed a year ago by former Mayor Frank Shaw of Los Angeles against Warners has been settled out of court, his attorney, E. H. DeLorey, announced today. The action was based on alleged depiction of incidents in the mayor's administration in "The Man Who Dared."

•

W. Ray Johnston, Monogram president, has left for New York to confer with Samuel Broidy, general sales manager, on the new season's sales policy. He is stopping over at exchanges en route.

Personal Mention

JOHN W. HICKS, Paramount vice-president and foreign manager, will arrive from Panama on the *Ancon* next Sunday.

•

HARRY L. GOLD, United Artists vice-president and Eastern sales manager, has returned to New York from the Southwest.

•

JOSEPH M. SEIDER, head of Prudential Playhouses, will leave Wednesday on the *Oriente* for a Havana vacation after several weeks' illness.

•

JACK FLYNN, Warner Theatres district manager in Philadelphia, is the father of a daughter, born last week at Fitzgerald-Mercy Hospital.

•

FRANCIS L. HARLEY, managing director of 20th Century-Fox in England, now vacationing at Palm Beach, plans to sail from New York for his post about March 1.

•

ETHEL LEFF, daughter of ABRAHAM LEFF of the 5 Boro Circuit, was married Sunday to ALBERT J. BEBERFELD at the Hotel Riverside Plaza.

•

J. M. FRANKLIN, president of Franklin and Herschorn Theaters, St. John, N. B., is on vacation at Miami Beach.

•

A-MIKE VOGEL has returned from Miami.

HOWARD DIETZ, M-G-M advertising and publicity director, returned yesterday from a six weeks' stay on the Coast.

•

LEO DEVANEY, Canadian division manager for RKO, has returned to his Toronto headquarters after a tour of the country.

•

CHARLES E. MCCARTHY, MAURICE BERGMAN, HARRY BRANDT, OWEN DAVIS and GEORGE SKOURAS lunching yesterday at Nick's Hunting Room in the Hotel Astor.

•

BARNEY BALABAN, HERMAN WOBBER, WILLIAM SUSSMAN, HARRY BUXBAUM, RUSSELL HOLMAN, ROBERT MILTON, JOHN GOLDEN, SIDNEY PHILLIPS, A. J. RICHARD, VERNON DUKE, FRANK PHELPS and CLAYTON BOND at Sardi's for luncheon yesterday.

•

DAVID LOEW, JOSEPH MOSKOWITZ, JOSEPH PINCUS, J. J. MILSTEIN, ARTHUR GOTTLIEB, JACK GOETZ and GEORGE BURNS among those lunching at Lindy's (51st St.) yesterday.

•

C. J. SCOLLARD, COLVIN BROWN, HENRY JAFFE, DOUGLAS ROTHACKER, WILLIAM FITELSON, lunching yesterday at the Tavern.

•

HARRY ROSE, manager of the Globe, Bridgeport, is resting in Atlantic City with MRS. ROSE after an illness.

•

AARON FISHMAN, manager of the Community, Fairfield, Conn., is recuperating after the grippe.

•

JACK O'CONNELL, assistant manager at the Roger Sherman, New Haven, has enlisted in the National Guard.

•

JOSEPH A. SCOTT, manager of the 20th Century-Fox branch in Omaha, has a new secretary, DOROTHY NELSON.

•

MARY DEPRATO, cashier at the Imperial, Ottawa, has become engaged to RALPH HUGHES, assistant manager of the Regent there.

Lazarus Named U.A. Kelly Drive Leader

Paul Lazarus, United Artists contract manager, has been named leader of the United Artists sales drive in honor of Arthur W. Kelly, vice-president in charge of distribution. Lazarus replaces L. J. Schlaifer as drive leader. The latter resigned from United Artists several weeks ago. The sales drive began Jan. 6 and will continue to April 19.

At the conclusion of the first month of the drive, it was announced yesterday, the district managers leading are Charles Stern, Jack Goldhar and Bert Stearn.

Shoot Your Next Film at
Edison Motion Picture Studio
NEW YORK'S FINEST
Large and small sound stage—Latest equipment — Rehearsal rooms — Private projection theatre—Executive offices—Conveniently located
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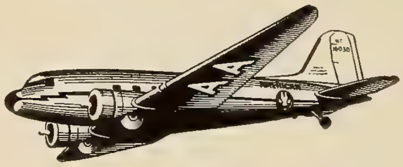

CALIFORNIA
AMERICAN'S SOUTHERN SUNSHINE ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Expect Decision on Money Pact Feb. 28

The decision of Milton J. Handler, arbitrator, on the method of allocating the British currency withdrawals among the eight major companies is expected on Feb. 28, it was stated following the opening of the arbitration hearings on the subject yesterday.

Loew's which advocates distribution of the withdrawals on the basis of individual companies' net profit [illegible] Britain last year, was represented [illegible] the hearing by Sam Cohen, company attorney. The other seven companies, which favor retention of the allocation method used last year, and which was based on each company's gross British business, were represented by Joseph H. Hazen.

Foreign department representatives of several of the companies were heard yesterday and others will present their views later.

Committees Named in Greek Relief Drive

Adolph Zukor, chairman of the board of Paramount, and chairman of the amusement division of the Greek War Relief Association, yesterday designated a campaign committee headed by L. E. Thompson as chairman of the drive. A. P. Waxman will be director. They will be assisted by Jack Connolly, Leonard Goldenson and George P. Skouras.

Zukor also announced an exhibitor organization committee, as follows: Harry Brandt, Col. H. A. Cole, Ed Kuykendall, Abram F. Myers, M. A. Rosenberg, W. A. Steffes and Nathan Yamins. The drive in theatres and other places of amusement will extend from March 25 to March 30, inclusive.

Fellerman Heads Big U Branch Club

Harry Fellerman has been elected president of the Big U Club, organization of employes at the Universal exchange here. He succeeds Leo Simon.

Other officers elected are: Fred Mayer, vice-president; James Davidson, treasurer; Rose Youngfield, secretary, and Thomas Goff, sergeant-at-arms.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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ALL AMERICA IS WAITING TO MEET THOSE AMAZING KIDS FROM INTERLOCHEN, "AMERICA'S MUSIC TOWN"!

Freckles
KAYE CONNOR

The Fiddling Finn
HEIMO HAITTO

Dead Pan Patsy
PATRICIA TRAVERS

Wizard of the Keys
DOLLY LOEHR

. . . and your new singing starlet, **SUSANNA FOSTER**, leads the parade of youth!

SUSANNA'S the only girl to hit B Flat above High C!

ALLAN and MARGARET ...love birds who tame the Tough Canary!

"THE HARD-BOILED CANARY"

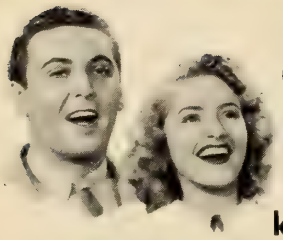
with **ALLAN JONES · SUSANNA FOSTER**
MARGARET LINDSAY · LYNNE OVERMAN
GRACE BRADLEY · WILLIAM COLLIER, Sr.

Produced and Directed by Andrew L. Stone • Screen Play by Frederick Jackson • From a Story by Andrew L. Stone and Robert Lively • Based on an Idea by Ann Ronell

Take it from a cagey

THEY'LL BE THE NATION'S TOAST FROM COAST TO COAST!

NEW YORK
PENNSYLVANIA
INDIANA
OHIO
NEW MEXICO
CAROLINA
MISSISSIPPI
FLORIDA



SUSANNA FOSTER and ALLAN JONES ...winging and singing their way the length and breadth of the country in one of the greatest personal appearance tours ever planned...covering 40 key cities. Broadcasts...civic celebrations...concerts...interviews...reams and reams of publicity . . . all to make all America beat a path to your box office!

BUT THAT'S NOT ALL! **SUSANNA FOSTER** and **ALLAN JONES** climax their thrilling tour with personal appearances together on the . . .

KATE SMITH HOUR, Friday, Feb. 21, 8 to 9 P.M., E.S.T. over the 111 stations of the Columbia Broadcasting System. This tremendous broadcast will be plugged by Kate Smith for an entire week on her daytime broadcasts.

That's how Paramount builds audiences... and pre-sells them for your box office!

SUSANNA FOSTER'S TOUR ▬ ▬ ▬ ▬ ▬ ALLAN JONES' TOUR ▬▬▬▬▬

Streamlined Code

Wilkes-Barre, Pa., Feb. 10.—Building Inspector Edward Eyerman here is engaged in bringing up to date the admittedly antiquated 27-year-old local building code. The present law, he says, does not take into account construction changes, air conditioning, steel framing, glass blocks and other commonplaces of modern theatre construction.

Universal Corp. Clears $2,232,805

Universal Corp., parent company of Universal Pictures Co., Inc., yesterday reported consolidated net profit for the fiscal year ended Nov. 2, 1940, of $2,232,805 after all charges, including taxes and dividend requirements on the picture company's outstanding first preferred stock. This report translates the recent annual financial statement of Universal Pictures Co., the operating company.

The result compares with consolidated net profit of $999,110 in the preceding year, or an increase of 123 per cent. The report shows total assets of $7,779,284, of which $5,498,033 is investments in securities of Universal Pictures Co. and Big U Film Exchange, Inc.

William Freiday, plaintiff in an action against the company for alleged mismanagement, has resigned from the board of Universal Corp., as well as from the board of Universal Pictures Co., as reported earlier.

N. T. S. Holds Annual Sales Meeting Here

The annual convention of the National Theatre Supply Co. opened here yesterday at the Belmont Plaza Hotel. It will continue through Friday, with branch managers from various parts of the country in attendance and the entire sales force from the New York office, as well as home office executives.

Walter E. Green, president of the National Theatre Supply, is presiding. Yesterday's session was devoted to a discussion of the product of International Projector Corp., with Herbert Griffin, president, and A. E. Meyer, of International Projector, addressing the group. Various of the other equipment products distributed by National Theatre Supply will be considered during the meeting.

Judge Bondy Grants New RKO Allowances

Additional allowances of $7,250 were granted yesterday to attorneys and accountants in reorganizing proceedings of RKO by Federal Judge William Bondy. George L. Schein, attorney for the independent committee of common stockholders, who previously received $8,000, obtained an additional $4,500; Gottheimer and Bercu, Schein's accountants, received $1,250, having previously been allowed $2,000; and David Stock and Donald Macks, attorneys for H. Cassel and Company, were awarded $1,500.

Feature Reviews

"The Trial of Mary Dugan"

(M-G-M)

A HIT show and a successful film in the late 1920's, "The Trial of Mary Dugan" has been brought back to the screen by producer Edwin Knopf with Laraine Day as Mary Dugan in the title role and some minor changes in the script. For one thing, it is not Mary Dugan's brother who rushes in to defend her when she is on trial for her life, but her lover instead, portrayed by Robert Young.

Most of the interest is concentrated in the trial itself, a trial which has become known as a minor classic for expert handling among the plays of the last 15 years. The prelude to the trial, which sometimes drags a bit, tells of Mary's meeting with Jimmie Blake (Robert Young) who has forsaken a promising career in criminal law for a more lucrative income in business. When Jimmie asks Mary to marry him, she lacks the courage to tell him of her record in a reformatory. He leaves the country, half suspecting that Mary is in love with their common employer, Edgar Wayne (Tom Conway).

The next scene finds Mary on trial for the murder of Wayne. Jimmie rushes in, replaces the attorney who is conducting the defense, and proves Mary's innocence. The trial is highlighted by many tense moments and the boisterous humor supplied by Marjorie Main in the role of an apartment house owner.

The direction by Norman Z. McLeod helped point up many of the plot's inherently tense moments. Frieda Inescort, John Litel, Marsha Hunt, Henry O'Neill, Sara Haden and Francis Pierlot round out the cast. The nature of the testimony, which is directed to show that Mary had improper relations with Wayne, makes the story unsuitable for children.

Running time, 90 minutes. "A."* EDWARD GREIF

"A" denotes adult classification.

"Road Show"

(Roach—United Artists)

Hollywood, Feb. 10

DIRECTING his own picture and reaching back into his slapstick days for the kind of humor that made the name of Hal Roach synonymous with the comedy, Producer Hal Roach offers herewith 85 minutes of the laughter which people have been saying the screen needs at this time. Backgrounds for the successive complications are, in the order given, a society wedding, an asylum, a carnival on lot and on tour, a country estate and, finally, a highway full of fire engines, the humor being as varied as the settings.

The cast is topped by Adolphe Menjou, John Hubbard and Carole Landis and the support includes Charles Butterworth, Patsy Kelly, Willie Best, George E. Stone, Margaret Roach, Polly Ann Young and The Charioteers, a quartette which supplies excellent close-harmony singing without stopping the progress of the action. Hoagy Carmichael supplied the songs used by the Charioteers and otherwise.

Episodes which elicited loudest laughter from a Hollywood preview audience are the hero's experiences in and escape from a lion-cage, the flight by boat from an asylum, the break-up of a society wedding and, finally, the dash of the entire company down a country road aboard fire engines to a fire staged by a slightly demented millionaire for his own amusement.

Running time, 85 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

RKO Offices in West Honor District Head

The six RKO western sales offices have set aside the week ending March 21 in honor of their district manager, Herb MacIntyre. This is the half way mark in the Ned Depinet Drive and the special week will be a phase of that campaign.

Branches paying tribute to MacIntyre are Denver, J. H. Ashby, manager; Los Angeles, H. C. Cohen, manager; Portland, M. E. Cory, manager; Salt Lake City, H. C. Fuller, manager; San Francisco, N. P. Jacobs, manager; Seattle, E. A. Lamb, manager.

Goldman Asks Speed In Phila. Clearance

PHILADELPHIA, Feb. 10.—Local major company exchanges today received letters from William Goldman, president of the circuit bearing his name, offering his newly acquired Erlanger here for first run films to remove an alleged "bottleneck" in clearance to the neighborhoods because of the extended runs current at downtown houses. He offered to waive the existing 28-day clearance over the neighborhoods. Goldman suggested in his letter that if Warners would not reliquish rights to first run pictures, the circuit might waive the 28-day clearance to speed up clearance to subsequents.

38 Features Now in Work In Hollywood

HOLLYWOOD, Feb. 10.—Thirty-eight pictures were before the cameras this week, as 10 finished and eight started. Twenty are being prepared, and 62 are being edited.

The tally by studio:

Columbia

In Work: "They Dare Not Love," "A Girl's Best Friend Is Wall Street."
Started: "Her First Beau," "Under Age," "North from the Lone Star."

Globe

Finished: "Pot O' Gold."

Gloria

In Work: "New Wine."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy."
Started: "Dr. Jekyll and Mr. Hyde."

Monogram

Finished: "Air Devils."
In Work: "Sign of the Wolf."

Paramount

Finished: "Men of Action."
In Work: "One Night in Lisbon," "Caught in the Draft," "Kiss the Boys Goodbye," "Power Dive," "Skylark."

RKO

In Work: "The Devil and Miss Jones," "Sunny," "Repent at Leisure," "Robbers of the Range."

Republic

Finished: "The Great Train Robbery," "Citadel of Crime," "Back in the Saddle."
In Work: "Sis Hopkins."
Started: "Mr. District Attorney."

Roach

Finished: "Broadway Limited."

20th Century-Fox

In Work: "The Outlaw," "Blood and Sand," "The Cowboy and the Blonde," "The Great American Broadcast."

Universal

In Work: "The Flame of New Orleans," "The Lady from Cheyenne," "The Man Who Lost Himself," "Model Wife," "Oh, Charlie."
Started: "Unfinished Business," "Double Date."

Warners

Finished: "Thirty Days Hath September," "Shining Victory," "Singapore Woman."
In Work: "Miss Wheelwright Discovers America," "The Bride Came C. O. D.," "Affectionately Yours."
Started: "Sergeant York."

'Fly-by-Night' Curb Pressed in Indiana

INDIANAPOLIS, Feb. 10.—Associated Theatre Owners of Indiana hope to bring their bill to curb "fly-by-night" shows and require bonding and registration of transient promoters to the floor of the House of the Indiana General Assembly this week. It has been in the Judiciary Committee for several days.

Films Beat Miami Slump, Bad Weather

(Continued from page 1)

ginia," "Flight Command," "Kitty Foyle," Love Thy Neighbor," "Comrade X," "North West Mounted Police" and "Philadelphia Story."

"Gone With the Wind," "North West Mounted Police" and "Philadelphia Story" now are in third weeks. In three weeks, "Wind" has grossed an estimated $25,000 at the Roxy and Colony theatres, officials state, and "Back Street" will open at two additional theatres tomorrow, the Miami and Mayfair, besides current performances at the Lincoln and Surf theatres. "Back Street" is reported approaching a record with $14,000 for the first week.

Universal Party Cost $30,000

The press party which Louis Pollock of the Universal home office major domoed last week for 100 newspapermen from around the country has undoubtedly helped arouse box-office interest here and around the country. That partv, according to latest figures, cost an estimated $30,000. Newspapermen who attended filed perhaps 125,000 words on the "Back Street" premiere and Universal doings via the telegraph companies, according to the latter.

Miami is the winter triangle of Hollywood and New York and in the season, exhibitors, showmen and performers flock here. It is the night club center of the world, then, and the theatre stages also claim many top personalities to entertain the 200,000 or 300,000 tourists who come here at that time.

Film Names Among Talent

On the stage or in the clubs now are Sterling Hayden, George Jessel, Lois Andrews, Emery Deutsch, Marissa, Elaine Miller, Milton Berle, Martha Raye, Harry Richman, Sophie Tucker, Joe E. Lewis, Abe Lyman, Paul Whiteman, Georges & Jaln, Gene Austin, Lucille Ball, Dezi Arnaz, Tommy Tucker, Kitty Carlisle and Clyde McCoy. Soon coming to the Paramount theatres there will be Carolyn Lee, John Boles and Hildegarde. They are being imported by George Hoover to show to the visiting Northerners, Southerners, and Westerners who take their winter vacations in this semi-tropical spot. Hotels such as the Miami-Biltmore, which is under the direction of Milton Chapman, and the Croyden Arms, another favorite, are having one of their best seasons. Chapman was host to the visiting newspapermen brought here by Universal.

On the legitimate stage at present there are Francis Lederer, Mary Brian and Sinclair Lewis. They are appearing in Gant Gaither's productions.

There have been 92 hotels built in Miami in the past two years. Forty were constructed during the past summer, not to mention apartment houses and residences. Altogether Miami Beach boasts of 280 hotels and 893 apartment buildings, besides 3,351 residences.

Among exhibitors and other trade personalities who are or shall have been here this season are Barney Balaban, Tom Connors, A. H. Blank, N. L. Nathanson, B. S. Moss, Max A. Cohen, Herman Robbins, George Dembow, Frank McCarthy, William Heineman, Charles Prutzman, Matthew Fox, Leonard Goldenson, Charles Kessnich, John D. Hertz, Arthur Lee, William and Lou Brandt, and Max H. Halpern.

Hollywood Review

"Ride Kelly Ride"

(20th Century-Fox)

Hollywood, Feb. 10

THIS is a trig little comedy of the race track and the people who own, train, ride and sometimes bet on the ponies, the good sports and the bad sports and the plain people who follow the turf, one way and another, as a business. It offers no galaxy of marquee magnets but more than most race track pictures of present and past in authenticity, plausibility and point.

Eugene Pallette, who plays a trainer addicted to epigrams and honesty, is perhaps the name best known to the public. Marvin Stephens as the honest jockey, Rita Quigley as the girl in the case and Dorothy Peterson as her mother are next in line, as concerns public awareness of their talents, Mary Healy, Richard Lane, Chick Chandler, Lee Murray, Frankie Burke, Cy Kendall and others rounding out the cast, which is directed by Norman Foster for Executive Producer Sol Wurtzel.

The story has to do with the fortunes of a boy befriended by a race horse trainer and trained for jockey service with a proper code of morals. When he declines to obey an owner's orders to pull a horse, he is purposely injured in the race and taken to a hospital, from which he escapes, learning that a plot is afoot to frame a race which will bankrupt his friends, to ride the right horse to victory and outwit the framers. It has a trite sound in synopsis but is not trite as played.

Running time, 59 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

London Review

"Quiet Wedding"

(Soskin—Paramount)

London, Feb. 1 *(By Mail)*

OBVIOUSLY—judging from Paul Soskin's fourth picture—it is not impossible to produce first-class entertainment films in a country whose people and cities are on the front line of totalitarian war. There is no sign of war in this latest Paramount subject, neither in the film itself nor in the way it has been turned out. Its infectious comedy quality and its production polish and acting excellence make it superlative entertainment for the wartime audience. Soskin has given the film a world market flavor.

The original was a stage play by Esther McCracken—and a Westend success. The theme—the wedding which the bride would have quiet and the family would turn into a spectacle—may be neither new nor exciting, but as here treated becomes a most exhilirating pattern of whimsical situation and effervescent characterization. The whole canvas of domestic confusion and cross purposes is delightfully dazzling, but the sparkling interplay of personalities, the fussy mother and the helpless father, the designing aunt and the psychonalytic fiancee, the vicar and the stodgy village policeman present the English country scene, lock, stock and barrel.

Anthony Asquith's polished direction is of course an incalculable asset but the cast—most of them stage folk—with the youngsters Derek Farr and charming Margaret Lockwood as the boy and girl in the lead—keep the film constantly alive and exhilirating.

Technical qualities are superb with Bernie Knowles' camera work a notable asset.

Paramount should do well with it on both sides of the Atlantic.

Running time, 80 minutes. "A."* AUBREY FLANAGAN

"A" denotes adult classification.

Dismissal Is Ordered

Dismissal of the plagiarism suit of Harry Essex and Sid Schwartz against Republic Pictures, was ordered yesterday by Federal Judge William Bondy on consent of the plaintiffs. Complaint charged plagiarism of the play, "Something for Nothing," in Republic's film, "Money to Burn."

Swann Comedy Will Open Here Tonight

"Out of the Frying Pan," a new comedy by Francis Swann, opens tonight at the Windsor. William Deering and Alexander Kirkland produced. The cast includes Louise Snyder, Florence MacMichael, William T. Terry, Alfred Drake, Barbara Belgeddes and Mabel Paige.

New Schenck Pact Up at Meet Today

(Continued from page 1)

whose present pact will expire at the end of the year. The new contract is at the same salary, $2,500 per week, as the present one. In addition, it provides for payment to Schenck of two and one-half per cent of the annual consolidated net profit of the company after specified deductions therefrom. The contract also contains provision for the extension of an option to purchase 48,492 shares of Loew's common stock at $40 per share up to March 1, 1947.

The directors scheduled for reelection are: George A. Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Al Lichtman, C. C. Moskowitz, William A. Parker, J. Robert Rubin, Schenck, Joseph Vogel, David Warfield and Henry Rogers Winthrop.

Hartmann Service To Be Held Tonight

Funeral services for Louis Hartmann, 64, lighting and sound technician at Radio City Music Hall, will be held tonight at the Park Funeral Home, 40 West 58th St. He died Sunday at Roosevelt Hospital of a cerebral hemorrhage. Burial will take place tomorrow in Arlington, Va.

Hartmann advanced stage lighting with a number of devices which he invented but never patented. He began in the theatre about 1890 at Hammerstein's opera house in Harlem. He became associated with David Belasco in 1901 and remained with him until the producer's death in 1931. Surviving Hartmann are his wife, Mrs. Garnet Hartmann, and a brother, Edward Hartmann.

Gabe Yorke Joins 20th-Fox on Coast

(Continued from page 1)

with theatres playing 20th Century-Fox films. He formerly was head of publicity for Fox West Coast and was advertising manager for Fox Film Corp., leaving that organization in 1935. He later became advertising and publicity director at the Paramount studio and in 1937 was appointed head of the Advertising Advisory Council in Hollywood.

Schenck Trial Feb. 17

Federal Judge Alfred T. Coxe yesterday postponed the trial of Joseph M. Schenck and Joseph M. Moskowitz to Feb. 17, pending arrangements to secure a trial judge. Matthew T. Correa, who will probably be acting U. S. attorney, will represent the Government.

She paid him
$17.80 a week
to be his bride

but kisses
were extra
and there
were no
extras

"OH!"…"AH!"…
"UM-M-M-M-M!"

That's the way you feel when you see Jimmy Stewart and Hedy Lamarr in this thoroughly delightful comedy. "Will keep seats filled and S.R.O. signs out constantly," says M.P. Daily. "Top show for every kind of audience," raves Hollywood Reporter. "Labeled for a clean-up," shouts Daily Variety. It's another hit in the endless line of M-G-M money shows.

until he took
her on a 3-day
week-end amidst
the birds, the bees
and the flowers.

Metro-Goldwyn-Mayer Presents
James **STEWART** · *Hedy* **LAMARR**
in
CLARENCE BROWN's Production of
"COME LIVE WITH ME"
with
IAN HUNTER · VERREE TEASDALE · DONALD MEEK
Screen Play by Patterson McNutt · An M-G-M Picture
Directed by CLARENCE BROWN

36 of 47 New Season Films Detailed by 'U'

(*Continued from page* 1)

be conducted during the next few weeks by Scully, F. J. A. McCarthy, Eastern sales manager, and William J. Heineman, Western sales manager. This would make it possible for the company to begin new season selling before the end of February, probably the earliest start made by a major company in more than 15 years.

36 Features Listed

The 36 feature productions already designated are:

Two with Deanna Durbin, to be produced by Joe Pasternak, one to be directed by Henry Koster, and the other by William A. Seiter.

"Hellzapoppin", with Olsen and Johnson, to be produced by Mayfair Prod.

Three Frank Lloyd productions, Jack Skirball, associate producer.

An Irene Dunne production, to be produced by Bruce Manning, from a screenplay by Manning and Felix Jackson.

Charles Laughton in "Almost an Angel," to be produced by Pasternak and directed by Koster.

A Charles Boyer-Margaret Sullavan starring vehicle, to be produced by Manning.

A Margaret Sullavan - Franchot Tone starring vehicle, to be produced and directed by Seiter.

A Carole Lombard production.

A George Raft production, with Carol Bruce and Broderick Crawford, to be produced by Manning from a screenplay by Manning and Jackson.

A Loretta Young production.

Dietrich in 'Hilo Hattie'

"Hilo Hattie," starring Marlene Dietrich, to be produced by Pasternak.

One to be produced and directed by Sam Wood.

"Badlands of Dakota," to be produced on a high budget.

A Franchot Tone-Virginia Bruce vehicle, to be produced and directed by Seiter.

W. C. Fields in "Never Give a Sucker an Even Break," with Gloria Jean, Baby Sandy and Butch and Buddy, to be directed by Eddie Cline.

"The Wolf Man," a new horror production.

Two Bud Abbott and Lou Costello comedies, "Ride 'Em Cowboy" and "They're in the Navy Now."

"The Yukon Trail," a large-scale production of the North.

"The Ghost of Frankenstein," a sequel.

"Bombay Clipper," a trans-oceanic aviation story.

"Straight from the Heart," starring Gloria Jean, with Islin Auster as associate producer.

Two productions combining the Dead End Kids and Little Tough Guys.

"Mermaid in Distress," a "novelty" feature, with Vaughn Paul as associate producer.

"The Black Cat," a "horror" picture, starring Basil Rathbone, with Broderick Crawford, Hugh Herbert and Anne Gwynne.

Two Baby Sandy starring productions.

"Captive Wild Woman," a "novelty" feature.

"Radio Follies," starring Rudy Vallee.

"Hello Sucker" and "Man or Mouse," starring Hugh Herbert.

"Juke Box Jennie."

The balance of the program will be selected from story and play properties which the studio has on hand or will acquire later.

Action Pictures

Seven of the action pictures will star Dick Foran, Leo Carrillo and Andy Devine. Titles are: "Beyond the Pampas," "In Old Monterey," "Viva, Pancho," "Sunset on the Sierras," "Dons of San Marcos," "The Fighting Padre" and "The Americanos." An additional seven Westerns will star Johnny Mack Brown, with Fuzzy Knight and Nell O'Day.

Four Serials Listed

The serials include "Riders of Death Valley," 15 chapters, starring Dick Foran, Leo Carrillo, Buck Jones, Charles Bickford, Jeanne Kelly and Lon Chaney, Jr. It will be designed especially for adult audiences, as will another 13-chapter serial, "The Gang Busters" based on the radio program. The latter may be re-made into a series of featurettes or a feature, it was said. Other serials will be: "The Sea Raider," in 12 chapters, and "Head Hunters of the Amazon," 12 chapters.

Short subjects will include: 15 issues of the "Stranger Than Fiction" single reel subjects; 13 "Personality" two-reel subjects; 13 Technicolor cartoons featuring Andy Panda, by Walter Lantz; a special two-reel subject and 104 issues of the newsreel, as well as 15 "Going Places," one-reelers.

Feature Reviews

"Meet the Chump"

(Universal)

Hollywood, Feb. 10

FROM Universal's "daffy department" has come one of the best efforts along laugh lines witnessed in recent months. Hugh Herbert has the same kind of acting field day that he had in "La Conga Nights," wherein he played seven parts.

Here Herbert plays but three: that of an investment counselor who has innocently spent funds not belonging to him, and a shadowy portrayal of his own good and bad selves, respectively trying to prevent him from doing anything wrong, and egging him on in questionable enterprises.

Under the terms of a will, Herbert, as trustee, was to have turned over to his nephew an estate of $10,000,000 if the young man got married on his 25th birthday. Unfortunately, half that sum has been spent on charitable undertakings, and the counselor conceives the idea of saving himself from jail by pretending insanity. Complications ensue with all turning out for the best.

Lewis Howard enacts the young nephew bound to find romance for the sake of his inheritance, Jeanne Kelly the girl with whom he ultimately finds it. Also contributing to the proceedings are Anne Nagel, Kathryn Adams, Shemp Howard and Richard Lane.

Edward Cline directed the picture, with Ken Goldsmith as associate producer.

Running time, 60 minutes. "G."* W. S.

"Petticoat Politics"

(Republic)

THE Higgins Family series, designed for the family trade, continues in this film. Roscoe Karns and Ruth Donnelly again personify Joe and Lil Higgins; Spencer Charters, grandpa, and George Ernest and Lois Ranson, son and daughter. Polly Moran, Paul Hurst, Pierre Watkin, Alan Ladd, Harry Woods and Claire Carleton are in support.

This episode concerns an election for mayor with Karns the reform party candidate against the crooked incumbent. The film falters occasionally with a number of incidents of slapstick character. One of these, for example, has Karns attempting to lay a roll of kitchen linoleum with neither tacks nor glue so that as he unrolls it, it coils behind him, while he becomes enraged.

Running time, 67 minutes. "G."*

**"G" denotes general classification.*

'Hudson's' Scores $10,000, Montreal

MONTREAL, Feb. 10.—"Hudson's Bay" led Montreal grosses last week with $10,000 at Loew's. "Victory" and "Life With Henry" took $5,000 at the Capitol.

Estimated takings for the week ending Feb. 6:

"Hudson's Bay" (20th-Fox)
LOEW'S—(2,900) (30c-40c-60c) 7 days. Gross: $10,000. (Average, $7,000)
"No, No, Nanette" (RKO)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $5,500. (Average, $7,000)
"Victory" (Para.)
"Life With Henry" (Para.)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $5,000. (Average, $4,000)
"Little Men" (RKO)
"Let's Make Music" (RKO)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,000. (Average, $2,500)
"One Night in the Tropics" (Univ.)
"Meet the Wildcat" (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $3,000. (Average, $4,000)

'Love' Tallies $19,100, Leads Los Angeles

LOS ANGELES, Feb. 10.—"This Thing Called Love" and "Remedy for Riches" scored a total of $19,100 at two houses, $9,300 at the Hillstreet and $9,800 at the Pantages. "Cheers for Miss Bishop" tallied $4,200 in the third week at the 4 Star.

Estimated takings for the week ending Feb. 5:

"Come Live With Me" (M-G-M)
"Land of Liberty" (M-G-M)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $11,000. (Average, 512,500)
"Fantasia" (Disney)
CATHAY CIRCLE—(1,518) (55c to $1.65). Gross: $17,500. (Average, $17,000)
"Cheers for Miss Bishop" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $4,200. (Average, $3,250)
"This Thing Called Love" (Col.)
"Remedy for Riches" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,300. (Average, $6,500)
"Come Live With Me" (M-G-M)
"Land of Liberty" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $12,500. (Average, $14,000)
"This Thing Called Love" (Col.)
"Remedy for Riches" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $9,800. (Average, $7,000)
"You're the One" (Para.)
"Victory" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75) 7 days, 2nd week for "Victory." Stage: Dinah Shore, Cliff Nazaro, Carl Hoff, 20 Fanchonettes. Gross: $13,500. (Average, $18,000)
'High Sierra" (W. B.)
"She Couldn't Say No" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 2nd week. Gross: $9,300. (Average, $14,000)
"High Sierra" (W. B.)
"She Couldn't Say No" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $14,600. (Average, $12,000)

Bannon, Craddock Sales Aides at 'U'

(*Continued from page* 1)

staff, was appointed assistant to F. J. A. McCarthy, Eastern sales manager. Gordon C. Craddock, former Universal branch manager at Indianapolis, was named assistant to William J. Heineman, Western sales manager. Both are home office posts.

H. H. Hull, acting branch manager at Indianapolis, was made manager, there, succeeding Craddock. W. M. Richardson, former New Orleans branch manager, was appointed manager at Atlanta, replacing John Ezell, resigned. James Frew, former Cleveland salesman, was named to succeed Richardson as New Orleans manager.

In addressing the meeting today, Scully emphasized that the entire sales force will be held responsible for adhering to the company's policy of fair dealing with exhibitors.

"Make no use of 'sales talk' that can't be put into a contract," Scully told the men.

Paul J. Nathanson, vice-president of Empire-Universal of Canada, told the meeting that Universal has become the second ranking company in Canada, enjoying a high standing with exhibitors for its product and business dealings.

Leonard Gets New Pact

HOLLYWOOD, Feb. 10.—Robert Z. Leonard has signed a new producer-director contract with M-G-M, the studio with which he has been associated for the last 17 years.

'Story' Gets Fine $19,000 Loop Gross

CHICAGO, Feb. 10. — "Philadelphia Story," in its second week at the United Artists, drew $19,000. "This Thing Called Love" also was strong with a stage show at the Chicago Theatre, grossing $38,000.

Estimated takings for the week ending Feb. 7:

"The Son of Monte Cristo" (U. A.)
APOLLO—(1,400) (35c-55c-75c) 7 days. Gross: $6,000. (Average, $6,500)

"This Thing Called Love" (Col.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Gertrude Niesen & stage show. Gross: $38,000. (Average, $32,000)

"Second Chorus" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,000. (Average, $5,000)

"Lady With Red Hair" (W. B.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Larry Adler and stage show. Gross: $15,000. (Average, $13,000)

"Kitty Foyle" (RKO)
"Saint in Palm Springs" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days, 5th week. Gross: $12,000. (Average, $11,000)

"Flight Command" (M-G-M)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $11,000)

"Escape to Glory" (Col.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Sally Rand & Jackie Heller. Gross: $17,000. (Average, $15,000)

"Philadelphia Story" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $19.000. (Average, $14,000)

Toronto Doric Is Shut for Matinees

TORONTO, Feb. 10.—As a result of the accident at the Doric Theatre here, in which 35 children were overcome by coal gas fumes because of faulty furnace construction, Sam Lester, owner of the theatre, has been ordered by the Ontario Government to close the theatre for all matinee performances indefinitely for alleged negligence and as a warning to other exhibitors. The Doric will not be permitted to reopen for matinees until such time as he has trained a sufficient staff to insure the safety of juvenile patrons, according to O. J. Silverthorne, director of the Theatres Branch of the Provincial Government.

Silverthorne announced that the Theatres and Cinematographs Act would be amended at the next session of the legislature to provide for an adult guardian with every child under seven years of age admitted to a matinee performance in any theatre and to require the constant attendance of a uniformed matron inside the theatre at all shows to which juveniles are admitted. There will be other requirements governing the structural arrangements of both new and old theatres, as a safeguard against the recurrence of any accident due to heating or ventilating installations.

Lewin Lecturing

Albert Lewin, United Artists producer, is continuing his lecture tour of Eastern universities. He spoke yesterday on production problems and technique before combined classes of Brown University and Pembroke College at Providence. He will lecture today at Harvard.

Theatre Changes

Plan New Ohio Theatre

CINCINNATI, Feb. 10.—The Eskay Amusement Co. has been formed here with a $10,000 capitalization, to build and operate a new theatre, to be known as the Shard, at nearby Lockland. The company will be controlled by the interests of the late Elmer Shard, and Ralph Kinsler, who recently resigned as Warner branch manager to become associated with the Shard enterprises which operate other suburban houses here.

Manages Columbus House

COLUMBUS, O., Feb. 10. — Milton Yassenoff has been named manager of the Beechwold, suburban, recently taken over by Louis Wiethe, Cincinnati, from the estate of the late Clarence A. MacDonald.

Manager in Lancaster

LANCASTER, Pa., Feb. 10. —John Neuer, assistant manager of Warners' Hamilton, has succeeded Jack Day as manager of the Lemoyne in Lemoyne, Pa.

Manages Canadian House

OTTAWA, Feb. 10.—R. B. Berezin, former local assistant manager at the Elgin here, has been appointed manager of 20th Century Theatres' Regent at Sudbury.

Schines Transfer Levitch

ROCHESTER, Feb. 10.—Louis Levitch, manager at Schine's Riviera here, has been transferred to Buffalo where he'll serve as manager of the Granada and assistant in the booking department.

Named Assistant Manager

WORCESTER, Feb. 10.—Robert Bergin, former student assistant at the Elm Street Theatre, has been moved up to assistant, replacing Max Nesvetsky, who was recently promoted to assistant at the Poli here.

Costar Takes Trenton House

TRENTON N. J., Feb. 10.—A. A. Costar of Albany, N. Y., has taken over the operation of the Victory.

Wax Purchases Theatre

PHILADELPHIA, Feb. 10. — Morris Wax, head of the circuit operating a group of colored neighborhood houses in this city, has purchased the Lincoln, with the Wax group assuming a mortgage of $157,000. The house originally erected at a cost of $500.000, has been dark for some time.

Takes Atlantic City Theatre

ATLANTIC CITY, Feb. 10.—John C. Bell, Jr., has purchased half interest in the Globe as receiver of the closed Central Trust and Savings Co. of Philadelphia for $1,700. He held a second mortgage foreclosure decree of $78,112.40 against Alexander Seltzer, former owner of the one-half interest.

Build House in Oregon

SAN FRANCISCO, Feb. 10.—George Mann and associates of this city have completed erection of a new theatre building, costing $150,000, at Klamath Falls, Ore. A second 1,200-seat house is being built in the same locality.

Rebuild in California

SAN FRANCISCO, Feb. 10.—Sylvester and Salvatore Enea, owners of the Enean .Theatre in suburban Pittsburgh, are rebuilding the house following its damage by fire.

To Build Virginia House

NORFOLK, Va., Feb. 10.—William S. Wilder, operator of a circuit bearing his name, plans a new house, costing approximately $200,000, in the neighborhood community of Portsmouth. It will seat 1,200.

Goldman Shifts Managers

PHILADELPHIA, Feb. 10. — William Goldman Theatres, Inc., announced the appointment of two new managers for circuit houses here. Morris Phillips, former owner of the Upsal, was named manager of the Band Box, and Ben Zimmerman of the 56th St. Theatre.

To Install New Marquee

ROCHESTER, Feb. 10. — The RKO Palace is planning to install a new marquee and a new sign.

Name Minneapolis Club's Committees

MINNEAPOLIS, Feb. 10. — Ben Blotcky, chief barker of the local Variety Club, has named committees for 1941. The chairmen are: William Elson, house; Sam Halpern, law; Joseph Podoloff, charity; Lester Rees, publicity; Harry Dryer, shut-ins; Edward Ruben, M. F. McCormick, finance; Charles Rubenstein, Lowell Kaplan, entertainment; Gil Nathanson, sports; Maitland Frosch, membership; William Elson, convention.

Siegrist Leaves Para.

INDIANAPOLIS, Feb. 10.—Keith Siegrist, formerly a booker for Paramount, is now with Theatrical Managers, Inc., here. Arthur Manning of Bowling Green, Ky., takes his place with Paramount.

Change Company Name

ALBANY, Feb. 10.—Change of name has been filed here by RKO Proctor Mt. Vernon Corp. The papers indicate the new name will be Parkway Theatre Corp.

Legion Approves 4 Of Six New Pictures

Of six new pictures reviewed and classified by the National Legion of Decency, four were approved, three for general patronage and one for adults; one was classed as objectionable in part, and one was condemned. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"In Old Colorado," "Life With Henry," "Western Union." Class A-2, Unobjectionable for Adults —"Strawberry Blonde." Class B, Objectionable in Part—"The Face Behind the Mask." Class C, Condemned —"This Thing Called Love."

Gets Condor Product

Guaranteed Pictures Co., Inc., has acquired exclusive distribution rights to 11 Condor productions, formerly released through Grand National. They include three in natural color, six action dramas and two Ken Maynard westerns.

Friendship

Providence, Feb. 10

A PRESSBOOK on Paramount's "Dr. Cyclops" contained a photograph of Edward L. Reed, manager of the Strand here. The picture was seen by Douglas H. Rogers, manager of His Majesty's Theatre, Grahamstown, South Africa, who wrote to Reed. An exchange of cordial letters gives evidence of a fine friendship via the mail.

'Cristo' and Show $27,000 in Detroit

DETROIT, Feb. 10. — "The Son of Monte Cristo" and the stage show, "Folies Bergere of 1941," grossed $27,000 at the Michigan. The Fox reported $16,500 with "This Thing Called Love" and "Night Train."

Estimated takings for the week ending Feb. 6:

"The Invisible Woman" (Univ.)
"Romance of the Rio Grande" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,700. (Average, $5,500)

"North West Mounted Police" (Para.)
"Dr. Kildare's Crisis" (M-G-M)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)

"This Thing Called Love" (Col.)
"Night Train" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $16,500. (Average, $15,000)

"The Son of Monte Cristo" (U. A.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Stage Show: "Folies Bergere of 1941." Gross: $27,000. (Average, $12,000)

"Here Comes the Navy" (W. B.)
"South of Suez" (W. B.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $9,000. (Average, $7,000)

"The Philadelphia Story" (M-G-M)
UNITED ARTISTS—(2,000) (25c-39c-44c-55c) 7 days, 4th week. Gross: $11,000. (Average, $10,000)

Sunday Child Bill Is Urged for Pa.

PHILADELPHIA, Feb. 10.—The passage of a state bill to prohibit children under 15 years of age from attending motion pictures on Sunday unless accompanied by an adult was urged by Rev. Dr. William B. Forney, executive secretary of the Lord's Day Alliance, which has led the fight against Sunday films in the state.

Dr. Forney announced that he would confer in New York next Saturday with Will H. Hays on the whole question of Sunday films. "The people of Philadelphia had something put over on them when the Sunday movie law was passed in 1935," he said.

Will Hays, president of the M.P.P.D.A., is in Hollywood, and is not expected back in New York for several weeks.

Four Companies Formed

ALBANY, Feb. 10.—Four new companies incorporated here include: Tarlow Amusement Corp., by Samuel Turchin, Harry I. Harrison and Joseph Mendelson, New York; Glen Amusement Corp., by Albert A. Goldman, Franklin Goldman and Barnett Snapp of Buffalo; Elkins-Taylor Productions, by Marie L. Elkins, Lillian Rosendorn and Clarence Taylor, New York, and The Monoscope Co., by T. P. Porrino, Arthur D. Eldridge and Winthrop S. Lawrence, New York.

LET'S LOOK AT THE RECORD
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LOW COST
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Films' Defense Aid Air Meeting Topic

"How Should the Movies Aid National Defense" will be discussed on "America's Town Meeting of the Air," on NBC-Blue Thursday, Feb. 27, at 9:35 P.M., EST. The broadcast, which will take place the same night as the Academy Awards Dinner, will originate from Hollywood. Speakers will include Walter Wanger, Donald Ogden Stewart, Rosalind Russell and Manchester Boddy, publisher of the *Los Angeles News*.

The "Town Meeting" program will leave for a tour after its broadcast this Thursday with Birmingham, Ala., as the first stop.

Clear Channel Unit Sets Publicity Plan

WASHINGTON, Feb. 10.—Clear channel interests will open a Washington office under the direction of Victor Sholis, publicity man for the Department of Commerce under former Secretary Harry Hopkins, it was announced here today by Edwin W. Craig of Nashville.

Craig explained that the work of the office will be directed toward impressing the American radio audience with the importance of retaining the clear channels assigned the United States under the North American Regional Radio Agreement.

Para., Col. Purchase Two B'way Stage Hits

Two Broadway stage hit musical plays have been sold for screen production, "Pal Joey" and "Lady in the Dark." Paramount has acquired the screen rights to "Lady in the Dark," for a price in excess of $275,000, according to Barney Balaban, Paramount president. The price, Balaban said, is the highest ever paid by a film company for a stage property.

Columbia has purchased the screen rights to "Pal Joey," produced by George Abbott. It is understood Abbott also will produce the screen version for Columbia.

Detroit Drafts Coin Machine Ordinance

DETROIT, Feb. 10. — Informed that nickel film machines will soon appear in Detroit, the Common Council has asked Nathaniel H. Goldstick, Assistant Corporation Counsel, to prepare a regulatory ordinance.

Thomas McGuire, representing the Co-Operative Theatres of Michigan, told the council that he understood that several thousand machines would be installed here during the next two years.

W. B. Gets 'Spy' Verdict

A Federal jury after deliberating three minutes yesterday dismissed the $75,000 damage suit of Katherine Moog against Warners, after trial before Judge Matthew T. Abruzzo lasting several days. Plaintiff had claimed defamation of character in the film, "Confessions of a Nazi Spy."

Off the Antenna

"BROADCASTING As an Instrument of Democracy" will be discussed by FCC Chairman James L. Fly at a luncheon meeting of the American Civil Liberties Union tomorrow. The speech will be carried by NBC-Red and Mutual. Raymond Gram Swing, Mutual commentator, and Pearl Buck, novelist, will also speak.

• • •

Purely Personal: *Robert Gerdy, CBS assistant trade news editor, returned from Chicago yesterday after a short vacation trip . . . Wendell Adams of the CBS production staff has been named supervisor of all popular sustaining music, reporting to William Fineschriber, musical director . . . Frank Barton, KGO-KPO, San Francisco, announcer, and Don Hall, engineer, became father of a daughter and son, respectively, last week . . . Oscar Levant will make a return appearance on the "Kraft Music Hall" over NBC-Red Thursday at* 9 *P.M. while Bing Crosby tries a vacation.*

• • •

Thomas A. Edison's development of the early motion picture machines will be discussed in a memorial program dedicated to the inventor over WNEW at 9:30 tonight. Among the guests will be A. O. Tait who was secretary to Edison for seven years, 1887-1894. WHOM will also devote a memorial program at 4:30 this afternoon with a recording of a speech by Edison in 1908 as the highlight.

• • •

Lincoln's Birthday will be the occasion for sending two messages of cheer to Europe by the NBC short wave stations. William V. C. Ruxton, president of the British-American Ambulance Corps will present an ambulance to the Belgian Red Cross during one program. The other will be a salute to Czechoslovakia with a message by Edward Benes, former Czech president, Dorothy Thompson and Jan Masaryk, Czech foreign minister at London. Alois Havrilla, Czech-born announcer, will conduct the show.

• • •

Honorary membership in the Veteran Wireless Operators Association will be bestowed upon James L. Fly, FCC chairman; Niles Trammell, NBC president; George Bailey, president of the American Radio Relay League; Maj. Gen. J. O. Mauborgne, Army chief signal officer; and Rear Admiral Leigh R. Noyes, director of Naval communications, tonight at the 16th annual dinner cruise of the association at the Hotel Astor. Marconi memorial medals of service will also be awarded to the last two named. National defense will be the keynote of the meeting and Dr. Lee de Forest, honorary president, will address the meeting by telephone from Los Angeles.

Canada Music Unit Called No Monopoly

TORONTO, Feb. 10.—As a prelude to the reopening of the session of the Copyright Appeal Board of Canada to investigate applications for approval of scheduled license fees for the use of copyrighted musical works during 1941, a statement from an official Government source indicates that the Canadian Performing Rights Society no longer could be regarded as a monopoly in the control of compositions in the Dominion because of the creation of Broadcast Music (Canada), Inc., which is seeking permission to impose performing fees on a reduced scale.

"It is a question of the degree of the use of each company's repertoire in Canada and it is a very difficult one to decide. We are between brickbats from both sides," declared the Government spokesman. The board will resume the hearing Feb. 12, when it will deal with the terms of the application from BMI, the recognition of which is opposed by the Performing Rights Society.

Warners Receive 1940 Tax Refunds

WASHINGTON, Feb. 11.—Income tax refunds of $8,854 were received from the government during the 1940 fiscal year by Harry Warner, president of Warners. Jack Warner, vice-president in charge of production, received $3,295.

Other income tax refunds were paid to Sonja Henie, who received $6,381; Raymond Massey, $524, and Sylvia Sidney, $801.

School Holiday for Opening of 'Baines'

MONTPELIER, VT., Feb. 10.—Mayor William Corry has declared a school holiday here Thursday, in connection with the world premiere of RKO's "Scattergood Baines" at the Capitol here on Thursday evening.

Star of the film, taken from the Clarence Buddington Kelland character, Guy Kibbee will make a personal appearance at the opening. Among those scheduled to attend are Governor W. T. Wills of Vermont, Lieutenant Governor Mortimer Proctor, Mayor Corry and members of the state legislature.

3,500 Expected at Photographer Ball

Approximately 3,500 are expected to attend the 12th annual dance and entertainment of the Press Photographers Association of New York, to be held at the Hotel Astor on Friday night. Lieutenant Governor Poletti of New York State, and Mayor LaGuardia of New York City are expected to be among the honored guests.

With several masters of ceremonies scheduled to take charge of the entertainment, a lengthy list of stars of screen, stage and radio will make personal appearances. Eli Dantzig and Augusto Sanabia and their orchestras will provide dance music.

Frances Marion Signed

Frances Marion has been signed by Sol Lesser to adapt "Strange Victory," which Lesser will produce for U. A. release.

CAGNEY'S TOP IS 'STRAWBERRY BLONDE'!

JAMES CAGNEY and
OLIVIA de HAVILLAND
in THE STRAWBERRY BLONDE
with Rita Hayworth and
ALAN HALE · JACK CARSON
GEORGE TOBIAS
Screen Play by Julius J. and Philip G. Epstein
From a Play by James Hogan
Directed by RAOUL WALSH

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N.A.B.-Ascap Parley Seen Starting Soon

U. S. Accord with Ascap Is Anticipated

Opening of negotiations between Ascap and the networks for a new music licensing agreement is expected simultaneously with, or immediately following, an accord between Ascap and the Government on a consent decree, Ascap officials indicated yesterday.

Some Ascap officials expressed the belief that negotiations with the Department of Justice might be concluded "before the end of the week" with meetings with the broadcasters then proceeding immediately.

Other Ascap spokesmen asserted that up to yesterday there had been no agreement on several of the major decree proposals and that even should an agreement be reached today or tomorrow, additional time still would be required for its submission to the board of directors for approval. These sources, therefore, discounted the possibility of any meeting with networks' representatives this week.

N.A.B. spokesmen were inclined to agree with this faction in Ascap. They asserted that there was no possibility of a meeting this week, adding that they would not be inclined to open negotiations with Ascap until they had an opportunity to study whatever decree proposals might be agreed upon by the Government and the society.

Haddock Dismissed By Variety Artists

Hoyt Haddock, executive secretary of the American Guild of Variety Artists, was dismissed summarily with two weeks' pay by the AGVA national board at a meeting Monday, it was learned over the holiday. The dismissal ended a long controversy during which Haddock was accused of fostering the desires of Communist members of AGVA.

The vote on the dismissal was six to six with Dewey Barto, president and opponent of Haddock on the board, breaking the tie and voting for the dismissal. The vote came on an amendment to a motion requesting Haddock to resign. Before the vote on the original motion was taken,

(*Continued on page* 4)

First Defense Films Go Out This Week to 7,500 Houses

The industry committee for national defense cooperation will ship the first national defense film subjects to the 31 exchange cities throughout the country today and tomorrow for exhibition in almost 7,500 cooperating theatres, Francis S. Harmon, of the M.P.P.D.A., committee co-ordinator, reported yesterday.

The shipments consist of 12 one-minute trailers made by the War Department to stimulate recruiting, each dealing with a branch of the armed forces, and, additionally, 300 prints of a Government-made short subject, "Power for Defense." The latter is a 10-minute subject produced by the National Defense Advisory Commission, depicting the use of T.V.A. power for defense industries.

300 Prints on Each Film

The 12 trailers will be released three at a time at three-week intervals. The War Department has provided 300 prints of each.

To facilitate distribution of defense subjects, the distributors' division of the industry committee has divided the 31 exchange centers into six districts, with one major company exchange in each of the 31 centers handling distribution of the subjects in its territory.

Exchanges handling the subjects by cities are: Warners, in Pittsburgh, New Haven, Philadelphia and St. Louis; Loew's, in New York, Detroit, Salt Lake City and Memphis; Universal, in Cincinnati, Washington, Indianapolis and Minneapolis; Columbia, in Albany, Boston, Des Moines and Omaha; Paramount, in Atlanta, New Orleans, Chicago and Portland: 20th Century-Fox, in Milwaukee, Kansas

(*Continued on page* 4)

British CEA Weighs Commission Scheme

London, Feb. 12.—Harry P. E. Mears, president of the Cinematograph Exhibitors Association, discussed with the organization's general council, meeting at Nottingham today, the Government's plan for the establishment of a Films Commission.

Mears has expressed himself as opposed to the appointment of such a commission, which would have virtual control of the industry. Little enthusiasm has greeted the commission proposal here. The main objection is the absence of any evidence that the commission is either needed or likely to operate satisfactorily, and the sharp opposition to what is seen as the Board of Trade's attempt to cloak in secrecy future plans for industry legislation.

Universal Starts 5 Regional Meetings

Chicago, Feb. 12.—The first of five regional meetings to inform Universal salesmen of new season production and sales plans opened here today with William J. Heineman, Western division manager, presiding.

The second will be held Saturday in Cleveland, with F. J. A. McCarthy, Eastern division manager, in charge. McCarthy will follow up the Cleveland meeting with one in Phila-

(*Continued on page* 4)

RCA May Demonstrate Color Television to Speed Medium

In an effort to pile up convincing evidence to persuade the FCC to grant commercialization of television at the hearings scheduled for March 20, RCA has under consideration a demonstration of color television, it was learned yesterday. A decision on whether the demonstration is to take place before the hearing date is scheduled to be made within the next week or 10 days.

Several factors bear on the situation. On the one hand, it was reported, the commission obviously was impressed by Dr. Peter Goldmark's re-

(*Continued on page* 8)

Exhibitors Sponsor Most Commentators

Exhibitors form the largest group sponsoring radio film commentators, according to a survey made by the National Radio Film Commentators Circle, which polled 178 film commentators heard in 48 states, Alaska, Hawaii and Puerto Rico. Of the group, 68 per cent are heard as sustaining features while 32 per cent are sponsored. David Lowe of

(*Continued on page* 8)

5-Year Pact Approved for N. M. Schenck

Loew Stockholders Laud Company Management

N. M. Schenck

A new five-year contract for Nicholas M. Schenck as head of Loew's, Inc., was approved by stockholders of the company at their annual meeting at the home office on Tuesday.

Stockholders also elected the 12 members of the board of directors, who met subsequently and reelected all officers.

The new contract for Schenck was approved without change and is to take effect on the expiration of his present pact at the end of the year. Submission of the new contract to the stockholders was the occasion for enthusiastic expressions from individual shareholders and directors present on the caliber of

(*Continued on page* 4)

N. Y. Chain Tax Bill Includes Circuits

Albany, Feb. 12.—Assemblyman Louis Bennett has introduced in the New York State Legislature an amendment to the tax law, providing licenses for operation and maintenance of chain stores, including theatre circuits.

The amendment provides that any one desiring to operate a chain of stores must apply to the Department of Taxation and Finance for a license. The definition of the term "store" in the bill includes theatres. A sliding scale of fees is provided for more than two units, with an annual license fee of $1,000 each for groups in excess of 25.

Reviewed Today

Reviews of "Strawberry Blonde," "Scattergood Baines" and "The Phanton Cowboy," as seen by *Motion Picture Daily* reviewers in New York, will be found on Page 5.

Medal to Lovejoy

Rochester, Feb. 12.—The Civic Medal of the Rochester Museum this year will go to Frank W. Lovejoy, president of Eastman Kodak. He will receive the award Feb. 19 for "eminence in the field of industrial science and community leadership."

Minneapolis Fight Seen on Vaudeville

Minneapolis, Feb. 12.—Minneapolis' "vaudeville war," which started when the 4,000-seat Minnesota reopened Jan. 1, promises to become hotter with reports that one and possibly two other theatres will adopt vaudeville policies.

Harry Hirsch and Harry Katz are understood to be preparing the Alvin for reopening under a vaudeville-film policy. The Princess, catering to the city's section east of the Mississippi, also is understood to be contemplating a part-week vaudeville bill in addition to films. Meanwhile the battle between the Minnesota and the Mort H. Singer Orpheum, only a block apart, continued, with "name" stage shows booked heavily at each house and the Orpheum having a picture edge in its affiliation with the Minnesota Amusement Co., a Paramount affiliate.

Para. Will Continue British Films: Rose

London, Feb. 12. — David Rose, Paramount managing director in England, on his return here from the United States, said Paramount intends to continue to produce pictures here designed for the world market.

He talked tentatively of a modern version of "The Admirable Crichton," and said a script is ready on "Hatter's Castle," but said he is not sure whether it is appropriate for the mood of today's public.

"Quiet Wedding," a new Paramount British film, grossed £800 (about $3,000) last Saturday and Sunday at the Plaza here.

Foreign Copyright No Protection Here

N. Y. Supreme Court Justice Peter Schmuck on Tuesday ruled that the failure of an author "to secure copyright protection in the U. S. is conclusive evidence of his abandonment of his common law rights, and makes his story public property in this country," even though he may have secured a copyright in a foreign country.

The ruling was part of a decision in which the court dismissed the plagiarism suit of Stephen Tamas against 20th Century-Fox after trial. The plaintiff had claimed infringement of his play, "Stowaway," in the film of the same name.

'Road Show' at Rialto

"Road Show," Hal Roach film released by United Artists, will open at the Rialto on Broadway next Thursday.

Personal Mention

NICHOLAS M. SCHENCK has arrived on the Coast for conferences at the M-G-M studio.

•

Ned E. Depinet, RKO vice-president in charge of distribution, will leave for the Coast tonight or tomorrow.

•

Harry Goldberg, Warner theatres advertising and publicity head, will return today from Chicago and Milwaukee.

•

Charles Einfeld, Warners' director of advertising and publicity, has left Hollywood for a month's vacation in Hawaii.

•

Stanley Shuford, Lord & Thomas account executive, has arrived at the RKO studio from New York.

•

Herbert J. Bowers of the maintenance department of Comerford Theatres in Scranton, has become engaged to Elizabeth A. Finnerty. They will be married Feb. 22 in Scranton.

•

Harry I. Wasserman, district manager in Boston for M. & P. Theatres, addressed the state extension course of Massachusetts Institute of Technology on theatre management.

BARNEY BALABAN, Paramount president, will leave for Florida tomorrow for a vacation of several weeks. Stanton Griffis, chairman of the executive committee, is expected back from Florida on Monday.

•

Charles Kurtzman, New England division manager of Loew's, was in Providence this week.

•

Arthur Schwartz of the Schwartz & Frohlich law firm has been appointed a special master by Federal Judge William Bondy to conduct hearings in an aviation patent infringement case.

•

Henry Needles, Warner district manager in Hartford, Conn., has returned from a vacation in the South.

•

Ben Simon, 20th Century-Fox manager in New Haven, has returned from a visit to Philadelphia.

•

Robert Johnson, son of Adolph Johnson, operator of the Strand, Hamden, Conn., has enlisted in the Air Corps.

•

Jeanette Carroll, cashier at the Paramount, New Haven, is ill with the grippe.

Realignment Made By Loew's in N.E.

Jack A. Simons, manager of Loew's Poli, Hartford, has been appointed manager of Loew's State, Providence, it was learned yesterday. He succeeds Edward H. McBride, who has been transferred as manager of Loew's State, Boston, after several years in Providence. Fred Greenway, manager of the State, Boston, has been transferred to the Poli Palace, Hartford, while Lou Cohen has been appointed to succeed Simons as manager of the Poli, Hartford.

Allied Unit Finishes Business Aid Plan

Minneapolis, Feb. 12.—Northwest Allied's campaign to stimulate theatre business will be ready for exhibitors—both independent and those affiliated with majors—some time next week, Fred Strom, executive secretary, said today.

The plan was worked out in the Welworth Theatre Co. offices, and while details have been kept quiet, it is understood to be a promotion campaign designed especially to combat competing forms of entertainment.

Late News Flashes from the Coast

Hollywood, Feb. 12

SCREEN WRITERS' GUILD negotiating committee, headed by Sheridan Gibney, president, is expected to begin conferences next week with representatives of the major studios on a new contract. The Guild's executive board at a meeting early this week prepared to reiterate demands submitted to the Producers' Association last October when a six months' stop-gap contract terminating next April 10 was adopted by mutual consent.

• •

Harold Wilson yesterday was appointed assistant to B. G. DeSylva, Paramount executive producer. Wilson has been with Paramount for a month as associate of Producer Sol C. Siegel. DeSylva also announced the signing of Monta Bell as an associate producer. Bell, recently with M-G-M, was in charge of the Paramount studios in the East in the silent film era.

• •

Trial of Joseph N. Ermolieff's suit against George J. Schaefer, president of RKO, started in Federal Court yesterday. Ermolieff, former European producer, seeks $1,042,000 damages. He alleges that Schaefer on Oct. 31, 1939, cancelled a contract made with him in July of that year whereby Ermolieff was to produce and direct "Outpost in Morocco," based on his play, "I Solemnly Swear." Ermolieff asserted he had produced 260 films in Europe and had made contacts with the French army which would be useful in the proposed film, which Schaefer felt would not now be effective due to changed conditions in France. The case is being heard by Judge J. F. T. O'Connor without a jury.

Newsreel Parade

WENDELL WILLKIE, returning from his eventful tour of England, is given attention in the new issues along with midwinter graduations at Annapolis, Britain's Ark Royal *in the Mediterranean, the Greek War Relief show in Hollywood and an assortment of general news. The contents:*

MOVIETONE NEWS, No. 45—Willkie arrives. Graduations at Annapolis. *Ark Royal* in the Mediterranean. Churchill and Harry Hopkins in Scotland. British Royal Family with air heroes. Greek relief show in Hollywood. Army tests new midget cars. Baseball stars in golf tournament. Statue of Seabiscuit unveiled. Regatta in Miami.

NEWS OF THE DAY, No. 243—British advance in East Africa. *Ark Royal* in the Mediterranean. New English troops in training. Greek war show in Hollywood. Willkie arrives. Annapolis graduations. Midget cars for the Army. Seabiscuit statue unveiled. Yachting at Miami. Baseball stars play golf.

PARAMOUNT NEWS, No. 48—Statue of Seabiscuit unveiled. Greek benefit show in Hollywood. Japanese envoy arrives in San Francisco. Bomber crashes in Nevada. New postal truck in Washington. Sound and motion mural in Rockefeller Center. Willkie returns. British drive in Africa.

RKO PATHE NEWS, No. 48—Willkie returns. British troops in Africa. Kimmel named chief of U. S. Fleet. Winant appointed Ambassador to England. Japanese ambassador arrives in San Francisco. Midget cars in army maneuvers. Greek war show in Hollywood. Cleveland boy returns from Siberian prison. Postal bus in Washington. Seabiscuit statue unveiled. Lipton Cup race in Miami.

UNIVERSAL NEWSREEL, No. 953—Willkie arrives. Winant named Ambassador to England. Japanese envoy arrives in San Francisco. Graduations at Annapolis. Midget cars for the army. New mail bus in Washington. Greek war show in Hollywood. Golf tournament for baseball players. Seabiscuit statue. Lipton Cup race. Ski meet in New York.

Cooper to England

Merian C. Cooper has left for England to film background material for "The Eagle Squadron," which Walter Wanger is producing for United Artists' release. The film concerns Americans with the Royal Air Force.

Increase Sunday Price

Waterbury, Conn., Feb. 12.—Warners have increased admission Sundays at the State from 33-44 cents to 35-50 cents, including tax.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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They Love It!

WARNERS'

STRAWBERRY BLONDE

BOOKED IN AHEAD OF EVERYTHING —EVERYWHERE THIS WEEK!

JAMES CAGNEY • OLIVIA DeHAVILLAND

in *'THE STRAWBERRY BLONDE'*

with **Rita Hayworth** and

ALAN HALE • JACK CARSON • GEORGE TOBIAS

Screen Play by Julius J. and Philip G. Epstein • From a play by James Hagan

Directed by RAOUL WALSH

5-Year Pact Approved for N. M. Schenck

(*Continued from page* 1)

Schenck's leadership and the capabilities of his management associates.

"If it were in my power to do so," said George N. Armsby, a director, "I would make the contract effective for the rest of Mr. Schenck's natural life."

On the motion of A. Hirschman, a stockholder, the meeting voted its thanks for the services and accomplishments of Schenck, the other officers of the company and the board of directors.

Directors Reelected

The directors who were reelected are: Armsby, David Bernstein, Leopold Friedman, John R. Hazel, Al Lichtman, C. C. Moskowitz, William A. Parker, J. Robert Rubin, Schenck, Joseph Vogel, David Warfield and Henry Rogers Winthrop. The reelected officers are: Schenck, president; Bernstein, vice-president and treasurer; Arthur M. Loew, first vice-president; Rubin, Lichtman, Edgar J. Mannix, Sam Katz and E. A. Schiller, vice-presidents; Leopold Friedman, secretary; J. T. Mills, comptroller and assistant secretary; Hattie Helborn and Benjamin Thau, assistant secretaries; Moskowitz, Len Cohen, Charles K. Stern, Nicholas Nayfack and Rae Lazarus, assistant treasurers.

Rubin Meeting Chairman

Rubin acted as chairman of the meeting, assisted by Bernstein and Friedman. Of the 1,802,435 shares of common stock outstanding, more than 1,200,000 shares were represented at the meeting. Of the latter, 1,146,000 shares were cast for the reelection of directors. No names other than those of the present directors were placed in nomination. Approximately the same number of shares was voted in favor of the new Schenck contract, and 55,774 shares were voted against its approval. No other business came before the meeting, which lasted only a little more than one hour.

One shareholder asked whether any emergency existed which prompted the board to submit the new long term contract for approval at this time. Rubin replied that in the best judgment of the board action on the contract was desirable at this time.

"No one is more capable, or as capable, of carrying on the business of this company as Mr. Schenck," Rubin said. "Leadership such as his is more essential in difficult times than in easy times. This company came through the depression with its colors flying, and now has overcome serious foreign problems and is operating at a profit. Those results are due in no small measure to Mr. Schenck's leadership."

Other shareholders praised Schenck and the Loew's management highly. One said that in normal times he would be inclined to oppose the contract, but in view of world conditions today he believed it necessary and a proper safeguard of the company's interests.

Another shareholder expressed gratification over the evidence of many small stockholders voting with the larger ones on the two subjects before the meeting.

Management Praised

"I believe we have the best management obtainable," he said. "It should be retained and rewarded."

The vote of thanks was made and carried and directors who were present then were introduced and applauded by the shareholders. Directors present in addition to Rubin, Bernstein and Friedman were: Armsby, Warfield, Moskowitz, Parker and Vogel.

In replying to questions put by shareholders later, Bernstein stated that the effects of the war on the company's earnings appear to be no greater today than they were last year. He said the outlook appears to be "encouraging," with remittances still being received from Britain, business gains being made in Latin America and domestic earnings showing continued improvement.

Critics' Quotes . . .

"THIS THING CALLED LOVE" (Columbia)

At times this marital maneuvering runs thin and repetitious, but a trio of authors make up the deficiency with cosmic incident and subtle innuendo, and Rosalind Russell and Melvyn Douglas, supported by an excellent cast, keep their special problems amusing without being offensive.—*Newsweek.*

Extracts a prodigious amount of fun from a subject which has been taboo more or less in motion pictures for years. Its situations are drawn from certain biological aspects of marriage, and it is a refined but candid screen extension of that standard stage device, the bedroom farce.—*Donald Kirkley, Baltimore Sun.*

Heaps of fun, skates on thin ice here and there . . . a sparkling adult farce. The direction is vigorous—a little editing would have helped.—*Norman Clark, Baltimore News Post.*

Should provide acceptable entertainment for mature audiences who enjoy seeing a farcicial idea resourcefully elaborated upon.—*Garrett D. Byrnes, Providence Journal.*

"WESTERN UNION" (20th Century-Fox)

Makes picture history. . . . One of the best historicals ever turned out by any studio. It will probably turn out to be one of Hollywood's most successful Westerns.—*Lee Mortimer, New York Daily Mirror.*

It's a rousing good Western, history or no history . . . a powerful outdoor film which most persons will probably remember for its brilliant Technicolor. —*Robert W. Dana, New York Herald Tribune.*

Spectacular screen entertainment—a Western, you might say, with the proper cinematic unity.—*Bosley Crowther, New York Times.*

None too absorbing . . . at times, interesting, and at times, exciting, but not altogether so in its detailed account of the obstacles builder Edward Creighton meets and overcomes.—*Wanda Hale, New York Daily News.*

"ESCAPE TO GLORY" (Columbia)

A melodrama with smacking good suspense, shrewd use of detail and several exciting episodes that make it an engrossing if minor film.—*Richard L. Coe, Washington Post.*

Not polished movie technique nor high art . . . But for suspense and melodrama this film is all you could ask.—*Washington News.*

A combination of cliches, but pretty exciting nonetheless.—*Washington Times Herald.*

Somehow or other, Director John Brahm has taken these hokum characters and situations and whipped up a topical suspenseful yarn. Good players and dialogue that is downright flashy in spots are also a help.—*Gerard Gaghan, Philadelphia Ledger.*

It is all quite different, and extremely diverting, with the entire cast of principals turning in good performances.—*Dorothy Guinan, Philadelphia Daily News.*

"NIGHT TRAIN" (20th Century-Fox)

Although "Night Train", directed by Carol Reed, lacks the polish of its Hitchcock predecessors, its sustained excitement is agonizing.—*Time.*

Fast moving and very exciting. It is tangy with the condiments of romance and suspense.—*Chicago Tribune.*

Universal Starts 5 Regional Meetings

(*Continued from page* 1)

delphia on Sunday, and a third in New Orleans next Tuesday. Heineman's second and final meeting will be next Tuesday in San Francisco.

Both McCarthy and Heineman will spend much more time in the field this year than heretofore, it was stated at today's meeting.

Conclusion of the regional meetings by Feb. 18 means that Universal's sales force will be in the field with new season's contracts before the end of February, the earliest start of a major company's selling season in more than 15 years.

Universal home office executives left here last night for New York. In the group were Nate J. Blumberg, president; J. Cheever Cowdin, chairman, and W. A. Scully, vice-president and general sales manager. Cliff Work, studio chief, returned yesterday to the Coast.

Defense Films Going Out to 7,500 Houses

(*Continued from page* 1)

City, Los Angeles and Denver; RKO, in Dallas, Oklahoma City, San Francisco and Seattle, and United Artists in Cleveland, Buffalo and Charlotte.

Film Carriers, Inc., the associa[illegible] of 28 trucking organizations, has volunteered to handle the physical distribution of all subjects without charge. Red, white and blue labels will be affixed to all shipments to identify them.

George J. Schaefer, RKO president, is chairman of the industry national co-ordinating committee. William A. Scully, vice-president and general sales manager of Universal, is chairman of the distributors' division. Members of the division are: Neil Agnew, George Dembow, Ned E. Depinet, W. F. Rodgers, Gradwell Sears and Herman Wobber.

Joseph Bernhard, general manager of Warner Theatres, is chairman of the theatres division, and E. V. Richards of Saenger Circuit, New Orleans, co-chairman. Members are: A. H. Blank, Harry Brandt, Si Fabian, John H. Harris, Ed Kuykendall, Sam E. Morris, C. C. Moskowitz, John J. O'Connor, R. J. O'Donnell, Spyros Skouras, R. B. Wilby and Nathan Yamins.

Brandt, who is chairman of a special subcommittee, reported that the number of participating theatres is expected to be increased to 10,000 in the near future.

Haddock Dismissed By Variety Artists

(*Continued from page* 1)

Haddock was asked if he would resign if the board requested such action.

Haddock replied that he would, provided he would be given an opportunity to draw a final report and submit it to the board. When Haddock took this stand the amendment calling for his immediate dismissal was offered. Walter Greaza, representing Actors Equity; Florence Marston, representing Screen Actors Guild; and Ruth Richmond, representing Chorus Equity, who are entitled to membership on the board because of the loans made by their organizations to AGVA, all voted against the dismissal, although they are known to be opposed to the Communist faction.

It was explained later that they voted in this manner because they believed Haddock was entitled to a chance to explain his position and, further, that the organization had no one to substitute in his place. Haddock has been the third executive secretary in the 17 months of AGVA's existence. AGVA was created to replace the American Federation of Actors whose charter was revoked after a stormy controversy in September, 1939.

Haddock declared that he would take the issue before the New York membership at a meeting at the Hotel Abbey on Monday afternoon. He said that he had been given "a vote of confidence" by the locals in Chicago, Detroit, Cleveland, Pittsburgh and Cincinnati.

'Kitty Foyle' Seattle Lead With $8,500

SEATTLE, Feb. 12.—"Kitty Foyle" drew $8,500 at the Fifth Avenue, dualed with "Tall, Dark and Handsome," while "High Sierra" took $6,800 at the Orpheum. Competition came from warm weather, a sell-out Lunt-Fontanne engagement at the Metropolitan, and several concerts.

Estimated takings for the week ending Feb. 7:

"Victory" (Para.)
"Up in the Air" (Mono.)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days. Gross: $3,100. (Average, $4,000)

"Kitty Foyle" (RKO)
"Tall, Dark and Handsome" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65) 7 days. Gross: $8,500. (Average, $7,000)

"Escape to Glory" (Col.)
"Blondie Has Servant Trouble" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $4,600. (Average, $5,000)

"The Philadelphia Story" (M-G-M)
"Michael Shane, Private Detective" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,600. (Average, $4,000)

"High Sierra" (W. B.)
"Where Did You Get That Girl?" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,800. (Average, $6,000)

"Six Lessons from Madam LaZonga" (Univ.)
"Hold That Woman" (Mono.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville headed by Pinky Tomlin. Gross: $5,300. (Average, $5,000)

"Hudson's Bay" (20th-Fox)
"The Saint in Palm Springs" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)

$19,000 Is 'Wind' Kansas City Gross

KANSAS CITY, Feb. 12.—"Gone With the Wind" in the second week at the Midland, scored a fine $19,000. "The Bank Dick," with a stage show at the Tower, tallied $7,200.

Estimated takings for the week ending Feb. 4-6:

"Buck Privates" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: [illegible]. (Average $2.200)

"Gone With the Wind" (M-G-M)
MIDLAND—(4,000), (40c-56c) 7 days, 2nd week. Gross: $19,000. (Average, $9,500)

"Victory" (Para.)
NEWMAN—(1,900), (28c-44c) 7 days. Gross $6,000. (Average, $7,000)

"Santa Fe Trail" (W.B.)
"She Couldn't Say No" (W.B.)
ORPHEUM—(1,500), (28c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)

"The Bank Dick" (Univ.)
TOWER—(2,200), (30c) 7 days. Stage: De May, Moore & Martin, The Three Cards, Emily Darrell. Gross: $7,200. (Average, $6,000)

"Buck Privates" (Univ.)
UPTOWN—(2,000), (28c-44c) 7 days. Gross: $3,000. (Average, $3,000)

Folsom Resigns from Defense Commission

ROCHESTER, Feb. 12.—The resignation of Marion B. Folsom, Eastman Kodak treasurer, from the executive post he has held on a part time basis with the National Defense Advisory Commission, has been announced here.

Dr. Grenville R. Holden, economic adviser for Kodak, will continue on a full-time basis with the commission. He has been conducting statistical studies on the availability of minerals and metals.

Feature Reviews

"Strawberry Blonde"

(Warners)

IN NEW YORK of the 90's is recounted this drama of the man who found happiness in the simple home of his own making, and in the love of a simple woman, rather than in the glamorous ideal he long had held before him. The film gives every evidence of being all-around good entertainment for any audience.

Taken from the stage play by James Hagan, this was produced first on the screen by another company some years ago, under the title, "One Sunday Afternoon," and in the present version suffers not one whit by an inevitable comparison. For the older generation of patrons, there will be a strong nostalgic appeal in this film, by reason of its setting, and its delightfully amusing picture of the habits and dress of an older generation.

But there is much more than that for all audiences, in a human story of the man who thinks he has been double-crossed in his love for a woman, who has his opportunity for revenge, but comes to a sudden realization that he is the winner, and not the victim.

James Cagney, in a role more subdued than usual, displays once again that he is an actor of versatility and ability, as the dentist who marries Olivia de Havilland as a second choice, when Rita Hayworth marries Jack Carson, bluffer, grafter and wealthy politician. Miss DeHavilland is splendid as the girl whose loyalty and love show Cagney that there is much in life beyond wealth. Alan Hale is delightful as Cagney's happy-go-lucky father, and George Tobias is amusing as the Greek barber and friend of Cagney.

As Cagney is faced with an opportunity to administer gas to the man who stole his sweetheart, used him as a dupe and caused him to serve a five-year jail term as a result, a flashback tells that story and returns to the picture's present with Cagney's realization that he, not Carson, is the happy man.

Raoul Walsh has given the film an incisive, well-placed production. Technical values are of the best. William Cagney was associate producer.

Running time, 97 minutes. "G."* CHARLES S. AARONSON

"Scattergood Baines"

(RKO)

THE sage of Coldriver, U. S. A., Clarence Budington Kelland's loveable character of fiction, who offers homespun philosophy on the slightest provocation, here makes his initial screen appearance in the person of Guy Kibbee, who most certainly bears some resemblance to the character pictured in the minds of the story's readers.

The film, made at no great cost, moves along with its central character, at a slow but smooth pace with drops of humor injected frequently in an effort to sustain interest, which might wander due to a lack of action. Kibbee does the job well and although some of the supporting players show signs of inexperience, the story on the whole is enacted in adequate fashion. Carol Hughes, John Archer, Francis Trout and Emma Dunn are the others principally involved.

Although obviously designed for small town patronage, there is a pleasant quality about "Scattergood Baines" which should appeal to big city patrons. The circulation of the original makes for a selling point that commands attention.

Running time, 69 minutes. "G."*

"The Phantom Cowboy"

(Republic)

A PLOT to deprive a group of Mexican peons of property bequeathed to them by a hacienda owner is the subject of this Western. Don "Red" Barry has the leading role and is supported by Neyle Marx, Virginia Carroll, Milburn Stone, Rex Lease and others. George Sherman guided the production as director and associate producer. It is hardly up to the standard of Republic Westerns.

Stone, former assistant to the hacienda owner, learns the details of his will which provides for Barry, a ward of the dead man, in addition to the peons. In an effort to take over the property himself, Stone tries to drive off the peons and kill Barry. The title character, played by Marx, is a young Mexican, who seeks to avenge his father's death in cooperation with Barry.

Running time, 56 minutes. "G."*

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*"G" denotes general classification.

'Story', 'Wind' Hold Pace in Philadelphia

PHILADELPHIA, Feb. 12.—Both "Gone With the Wind" and "Philadelphia Story" continued big, the former in its second week at the Stanley with $27,000; and the latter, at the Boyd, getting $25,000 in its third week.

Estimated takings for the week ending Feb. 5-7:

"Road Show" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $4,500. (Average, $9,000)

"Love Thy Neighbor" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,800. (Average, $2,600)

"Philadelphia Story" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $25,000. (Average, $13,000)

"Keeping Company" (M-G-M)
EARLE—(4,000) (35c-41c-46c-57c-68) 7 days, with vaudeville including the "Streets of Paris" unit with "Think-a-Drink" Hoffman, Sid Marion and Cliff Hall, Hylton Sisters, Frank & Jean, Anne Crosby, Don Richards, Petch & Deauville, Don Richards, Peggy Alexander, and Hubert, Ernesto & Talia.
Gross: $19,900. (Average, $14,000)

"Gallant Sons" (M-G-M)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Ann Corio, Wesson Bros., Margo Sisters, Fenwick & Cook, and Jimmy Fields. Gross: $9,600. (Average, $6,900)

"High Sierra" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $18.500. (Average, $13,000)

"The Lady With Red Hair" (W. B.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $3,900. (Average, $3,000)

"Kitty Foyle" (RKO)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 3rd week, 2nd run. Gross: $5,000. (Average, $4,500)

"Gone With the Wind" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week, return engagement. Gross: $27,000. (Average, $14,000)

"Tall, Dark and Handsome" (20th-Fox)
STANTON—(1,700) (35c-46c-57c) 7 days, 2nd week. Gross: $5,900. (Average, $4,500)

'Hudson's' $5,300 Strong in St. Louis

ST. LOUIS, Feb. 12.—"Hudson's Bay" and "Love Thy Neighbor" scored $5,300 at the Missouri. "Gone With the Wind" drew $13,500 in its third and final week at Loew's State.

Estimated takings for the week ending Feb. 6:

"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,162) (40c-56c) 7 days, 3rd week. Gross: $13,500. (Average, $13,000)

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $8.500. (Average, $11,500)

"Second Chorus" (Para.)
FOX—(5,038) (30c-40c-50c) 7 days. A. B. Marcus' "Continental Revue" on stage. Gross: $10.500. (Average, $11,000)

"Hudson's Bay" (20th-Fox)
"Love Thy Neighbor" (Para.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,300. (Average, $4,000)

"North West Mounted Police" (Para.)
"Dr. Cyclops" (Para.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,700. (Average, $2,600)

Rooney on Vacation

HOLLYWOOD, Feb. 12. — Mickey Rooney leaves tomorrow for a month's vacation in Honolulu.

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 17	Face Behind the Mask (D) *Peter Lorre* *Evelyn Keyes*	Philadelphia Story (C) 119 *Grant-Hepburn* *James Stewart*	Dead Man's Shoes (D) *W. Lawson* *Leslie Banks*	Victory (D) 4015 *Fredric March* *Betty Field*	Robin Hood of the Pecos (O) 054 *Roy Rogers*	Let's Make Music (D) 115 *Bob Crosby* *Jean Rogers*	Romance of the Rio Grande (O) 125 *Cesar Romero*		Six Lessons from Madame LaZonga (M) *Lupe Velez*	Honeymoon for Three (C) 510 *George Brent* *Ann Sheridan*
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) 044 *Gene Autry*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) 556 *H. Bogart* *Ida Lupino*
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) 010 *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) 520 *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*		You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) 020 *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	Trial of Mary Dugan (D) 125 *Robert Young*	The Kid's Last Ride (O) Range Busters	The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	The Phantom Cowboy (O) 075 *Don "Red" Barry*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) 126		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) 065 *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*		Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	In Old Colorado (O) *William Boyd* *Russell Hayden*	Citadel of Crime (D) *John Wayne* *Frances Dee*	Citizen Kane (D) 118 *Orson Welles*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) 4020 *Allan Jones*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*		Tobacco Road (D) *C. Grapewin* *Gene Tierney*		Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14	Penny Serenade (C) *Cary Grant* *Irene Dunne*	The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*		Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Model Wife (C) *Joan Blondell* *Dick Powell*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*	Ziegfeld Girl (M) *Stewart-Lamarr* *Turner-Garland*	Sign of the Wolf (D) *Grace Bradley* *Louise Beavers*	The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) *Walter Huston* *Jane Russell*		Double Date (D) *Peggy Moran* *Rand Brooks*	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	The Penalty (D) *L. Barrymore* *Edward Arnold*	At the Villa Rosa (D) *Judy Kelly* *Kenneth Kent*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) *Sidney Toler* *K. Aldridge*		Lady from Cheyenne (O) *L. Young* *Robert Preston*	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4				Border Vigilantes (O) *William Boyd* *Russell Hayden*	Sis Hopkins (C) *Judy Canova* *Bob Crosby*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Mutiny in the Arctic (D) Man-Ma Monster	

PARAMOUNT
packs 'em
with pep and
pulling power!

February 7
Popeye the Sailor
'QUIET, PLEEZE'

February 7
Grantland Rice
Sportlight
'ACROBATIC ACES'

February 14
Animated Antics
Cartoon
POP and MOM in
'WILD OYSTERS'

February 21
Gabby
Color Cartoon
'TWO FOR THE ZOO'
(Technicolor)

100%
BOX
OFFICE
TESTED!

Operators' Union Marks 40th Year

Wilkes-Barre, Pa., Feb. 12.—Local 82, IATSE, of the operators' union here, held a buffet supper marking the 40th anniversary of the unit. It was revealed that all but one of the newly elected officers is a charter member. The seven remaining charter members still active were feted at the affair. They were Patrick J. Gallagher, president and business agent; John F. Bradel, financial secretary and treasurer; Frank J. Fraley, recording secretary; John Floyd, Edwin Thomas, Harry Strong and Fred Ball.

'Fly-by-Night' Bill Revised in Indiana

Indianapolis, Feb. 12.—A bill to require registration and bonding of transient promoters and enterprise operators, sponsored in the state legislature by Associated Theatre Owners of Indiana in an effort to curb "fly-by-night" shows, was withdrawn from the Assembly yesterday and a new measure was substituted. The new bill by exemption assures schools, lodges and organizations that their shows and athletic events will not be interfered with. It was referred to the judiciary committee. This is the only measure directly affecting the industry pending in the legislative session, now at the half-way mark.

Pa. Town Reduces Fee for Theatres

Freeland, Pa., Feb. 12.—The Freeland Borough Council has passed an ordinance reducing the theatre license fees from $1 per day to 50 cents per day in the case of the Refowich Theatre and 25 cents per day each for the Auditorium and Rialto. The differences in fees are because of locations.

The change came after more than a year of effort when the Refowich management said it would not pay the fees in the future if the Auditorium management continued to disregard the fee, which the latter claimed was too high for a house of its small capacity.

3 Vaudeville Units Tour Pennsylvania

Pittsburgh, Feb. 12.—Three vaudeville units are touring smaller city theatres in western Pennsylvania.

Best draw of the units is Joe Carson's "Studio Scandals." After covering its present schedule, the troupe will go to the midwest for some dates, then return to play in the theatres it missed this trip. Other units in the district, playing with Warner and independent houses, are Ed Gardner's "Sensations of 1941," and June Carr's "Parisian Creations."

Schaindlin on 'Parade'

Jack Schaindlin has been named musical director of Columbia's "Washington Parade" shorts series which will be scored in the East.

Showmanship Flashes

Preview for Women Is 'Kitty Foyle' Stunt

As a promotional stunt for "Kitty Foyle" at the RKO Fordham Theatre in the Bronx, a private preview for women only will be held at the house. No men will be admitted and an all-feminine staff will be in charge. The projectionist will be locked in his booth and the engineer will be confined to his quarters in the boiler room.

Street Heart Cutouts Aid Allentown Run

Allentown, Pa., Feb. 12.—Milan Todorov, assistant manager of the Colonial, for "This Thing Called Love," posted the town with cut-out hearts pierced by an arrow pointing in the direction of the theatre and saying: 'This Way to Your Heart. . . . Colonial."

Model Ship Contest For 'The Long Voyage'

Philadelphia, Feb. 12. — In conjunction with "The Long Voyage," Sam Teitelbaum, manager of the Commodore, conducted a model ship building contest for youngsters from six to 16 years old.

'Soldier' Peels Potatoes As 'Buck Privates' Stunt

Providence, Feb. 12.—A man in the work uniform of a rookie soldier was placed in the window of a downtown market here to peel potatoes as a ballyhoo for "Buck Privates." Passers-by were asked to guess the number of potatoes peeled in a day, the 10 coming closest getting free tickets. The potatoes went to a local charity. The stunt was arranged by Manager George French, press agent William Morton, and Universal exploiteer Hank Arnold.

Exploitation Plan For 'The Lady Eve'

"The Lady Eve" will be given special publicity and exploitation handling, it is announced by Neil Agnew, Paramount general sales manager. In addition to the campaign for the premiere at the Paramount on Broadway on Feb. 26, there will be a three-week campaign in each of the 10 cities where the film will open about March 14. This will be followed by a three-week campaign prior to the opening of the film in 20 other key cities about March 21.

Reviews by Amateurs Used for 'Back Street'

Baltimore, Feb. 12. — In conection with the showing of "Back Street" at Keith's, a tiein with a local newspaper arranged for members of the Amateur Press Club of Baltimore to review the picture. The best written review was published on the theatre page of the evening newspaper and the club member awarded a prize.

'Elsies' Invited to See 'Little Men' as Guests

Philadelphia, Feb. 12.—Roy Robbins, manager of Warners' Karlton, for the opening of "Little Men," invited all girls or women named "Elsie," who appeared at the theatre opening night between 8 and 8.15 P.M. with proper identification, to be admitted as guests to see Elsie, the cow featured in the picture.

Letters to Stenographers Help Plug 'Kitty Foyle'

Toledo, O., Feb. 12.—Personal letters to 2,842 stenographers and secretaries in Toledo addressed "Dear White Collar Girl," was Manager Howard Feigley's way of creating interest in "Kitty Foyle" when it opened at the RKO Rivoli.

Jan. Gross $216,161 On Cincinnati Games

Cincinnati, Feb. 12.—There were 249 city-licensed chance game parties here in January, at which total attendance was 301,942. Gross was $216,161.80, and prizes, $52,474.74, leaving a net of $163,687.06 to sponsoring organizations, according to a report of Police Chief Eugene T. Weatherly to City Manager C. O. Sherrill, who issues the permits. Average net cost per player was 54.2 cents. Comparatively, attendance at 227 parties in December was 270,633; gross, $199,057.50; prizes, $47,906.39, and net, $151,151.11.

Carrying the comparison further to show the increase in games, and the corresponding increase in theatre competition, the records show attendance of 233,766 at 209 parties in January, 1940. Gross was $193,861.72; prizes, $46,793.50, and net, $147,068.22.

John Ryan Dies

Susquehanna, Pa., Feb. 12.—John J. Ryan, 62, who retired as manager of the Town Theatre, formerly the old Hogan Opera House, last Summer after 30 years, died recently at Barnes Memorial Hospital here. He is survived by his wife, a son, three brothers and a sister.

Technical Awards Committees Named

Hollywood, Feb. 12.—Six committees to assist the Research Council of the Academy of M. P. Arts and Sciences in judging nominations for Scientific or Technical Achievement Awards have been appointed by Darryl F. Zanuck, council chairman.

The committees and their chairmen are: Committee on Laboratory Nominations, Sidney Solow, chairman; Lighting, John Arnold; Photographic, Keith Glennan; Production Equipment, Mitchell Leisen; Sound, E. H. Hansen; Special Effect, Farciot Edouart.

N. Y. Bill Introduced On Wages Liability

Albany, Feb. 12.—Sen. Fred Young of Lowville has introduced a legislative amendment to the penal law relating to the payment of wages by corporations. The bill would make officers and directors of corporations who knowingly permit the corporation to violate the labor law by failing to pay the wages of any of its employes guilty of a misdemeanor.

Atlas Acquisition Of RKO Common Is Reported by SEC

Washington, Feb. 12.—Acquisition in December of 138,578 shares of RKO common stock by the Atlas Corp., giving that company a total of 732,896 shares held direct and 268,230 held through the American Company at the close of the year, was one of a number of film transactions for the month reported yesterday by the Securities and Exchange Commission.

The semi-monthly summary of the S. E. C. showed that the Atlas Corp. also acquired 2,900 shares of RKO preferred stock in a series of purchases throughout December, giving it a total of 35,481 shares.

Also in RKO, Frederick L. Ehrman was reported as disposing of 600 shares of common and 75 shares of preferred stock, leaving him with 200 shares of the former and none of the latter, and L. Lawrence Green disposed of 2,000 shares of common, leaving him with 2,250 shares.

Meehan Disposes of 9,000 Shares

A report on Keith-Albee-Orpheum showed that Michael J. Meehan disposed of 9,000 shares of preferred stock, 2,000 shares of it by gift in a trust for his children, leaving him with 17,004 shares, and Malcolm Kingsberg exchanged 10 shares of preferred for 10 preferred voting trust certificates, his holdings at the close of the month consisting of 490 shares of preferred and the ten certificates.

Sidney R. Kent, president of 20th Century-Fox, was reported as acquiring 1,000 shares of the company's common stock, giving him a total of 3,180 shares, and in Trans-Lux Corp., Robert L. Gordon disposed of 500 shares of common, his total holdings, and Walter Siemers acquired 200 shares, giving him a total of 1,200 shares.

Other S. E. C. Reports

Other transactions reported included the acquisition of 200 shares of General Theatres Equipment capital stock by Edward C. Delafield, giving him a total of 400 shares; acquisition of four shares of Loew's Boston Theatres common by Loew's Inc., giving that company a total of 117,787, and acquisition of 100 shares of Loew's Inc. common stock by Al Lichtman, representing his entire holdings.

A report on the holdings of directors of closed-end investment companies showed that on Nov. 1 last Robert M. McKinney, Morristown, N. J., director in Pathe Film, held 11 shares of common stock, and Louis Phillips held none direct, but 400 shares of common through his wife.

In Columbia Broadcasting System, Leon Levy disposed of 462 shares of Class B common stock by a gift to charity, leaving him with 41,903 shares of Class B and 37,723 shares of Class A stock. In Radio Corporation of America, Dewitt Millhauser acquired 500 shares of common stock, giving him a total of 1,000 shares.

Columbia Signs Shaw

Hollywood, Feb. 12.—Columbia has signed Irwin Shaw, playwright, to prepare the screenplay for "Mr. Twilight," a story of the United States Supreme Court.

Television in Color May Be Shown by RCA

(*Continued from page 1*)

cent demonstration at the CBS studios of his own color system. It is believed, therefore, that RCA, which has a system of its own, should demonstrate it to show how far color television has developed, and to convince the FCC that RCA is prepared to go ahead on the basis of color if the commission insists on it.

Avoiding 'Pressure' Angle

On the other hand, it was said, RCA is fearful of creating the impression that it is trying to "high-pressure" the FCC into any action it does not wish to take. Last year, when a storm of newspaper criticism arose against the commission's withdrawal of permission for commercial television, RCA was accused of instigating it, it was pointed out. Another factor is the belief that television would do better to start with black and white and solve the problem in that field before attempting color, it was said. Many RCA officials believe, it was reported, that color deserves further research but that it is not yet ready for home use.

Also under consideration is a series of large screen demonstrations, similar to those for the FCC, it was reported. These demonstrations, however, would be for the benefit of the trade and would be intended to interest motion picture exhibitors, sports promoters and film producers, it was said. Here, too, the danger of antagonizing the FCC is cited as a danger which may delay the demonstrations.

Plans Marking Time

Meanwhile, most television plans are at a standstill, pending the March 20 hearing. While it is believed that the report of the National Television Systems Committee laid a basis upon which television standards can be fixed and commercialization granted, the same disagreement within the industry exists as it did a year ago when the FCC revoked the so-called "green light." Moreover, the national defense program has complicated the picture and industry figures have expressed doubt as to whether television transmitters and receivers could be manufactured in sufficient quantity with defense requirements as high as they are.

Consolidated Is Sued

Travelcade Film Corp. on Tuesday filed suit in N. Y. Supreme Court for $25,000 damages against Consolidated Film Industries, asking for an examination before trial of Consolidated's officers. The complaint charged that six travelogue negatives delivered to Consolidated were held for two months and prints were not made.

Leaves Schine Post

Rochester, Feb. 12.—Robert Meagher, manager of the Lake and advertising and publicity director for Schine Theatres here, is now associated with the Seymour Distributing Co.

Off the Antenna

CARRYING out plans made during the program directors' meeting in January, Mutual will start a series of daytime script shows and will add two news periods to give the network at least one news period or one news commentator every hour of the day. Starting Feb. 24, a solid hour of daytime serials will be presented. They are "We Are Always Young," which will originate from WOR: "Edith Adams' Future," from WKRC, Cincinnati; "Helen Holden—Government Girl," from WOL, Washington; and an untitled show from WGR, Buffalo.

The shows will be on a sustaining basis and will be heard consecutively in 15-minute programs between 1 and 2 P.M. Unlike most daytime serials which are generally heard Mondays through Fridays, Mutual's shows will be heard Mondays through Saturdays. With 11 commentators already on the network, news periods at 3:55 P.M. and 12:55 P.M. will give Mutual a schedule of a news period or commentator at least once every hour.

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Purely Personal: *Anton Leader, formerly WMCA production manager, has joined the NBC production staff . . . Alan Manson has joined the cast of "The Light of the World" . . . Warren Gerz, of the NBC press staff, is the father of a son, Warren, Jr. . . . Uncle Don will take his first vacation in 15 years when he leaves the WOR microphone Saturday for a week in Miami.*

• • •

WTRY, Troy, will replace WABY, Albany, as the NBC-Blue upstate outlet March 16. WTRY, which operates on 1,000 watts, full time, will become part of the Basic Blue. The rate for WTRY will be $160 per evening hour.

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Program News: *Armour & Co. will sponsor "Treat Time" with Buddy Clark, Mondays, Wednesdays and Fridays at 11 A.M. over 51 CBS stations beginning Feb. 24 . . . A new series, as yet untitled, featuring various rural choral groups will be heard sustaining over CBS on Wednesdays at 5:30 P.M. beginning Feb. 19 . . . Following what has been termed "the screwball trend" in radio, WHOM this week started another zany program, with "Prof." Rhinelander Briggs. He will be heard Mondays through Fridays at 11.45 P.M. . . . WMCA will start a 52-week series of boxing broadcasts from the Bronx Coliseum Tuesday under the sponsorship of American Safety Razor Corp. The program will be heard Tuesdays, 9:45-10:30 P.M., with Jimmy Powers, sports editor of the Daily News, and Joe O'Brien at the microphone.*

Exhibitors Sponsor Most Commentators

(*Continued from page 1*)

WNEW is president of the group.

Among those sponsored, 87 per cent are by exhibitors while the remaining 13 per cent are divided among women's wear, furniture, jewelry, wines, newspapers, restaurants and cosmetics. Most of the commentators, 51 per cent of them, are heard during afternoon hours, 39 per cent during the morning and 10 per cent evenings.

Concerning publicity material received from studios, 86 per cent said they received releases, nine per cent said they received none and two per cent said they received them occasionally. A total of 63 per cent of the commentators said they used these releases to a greater or lesser degree.

Time schedules for film commentators vary greatly, according to the survey. Ten per cent are heard for half-hour periods, 68 per cent for quarter-hours, 18 per cent for 10 minutes and four per cent for five minutes. Only four per cent have Sunday shows, but 47 per cent are heard six times weekly; 12 per cent, five times weekly; two per cent, four times; 23 per cent, three times; six per cent, two times; and 10 per cent, once weekly.

Select, Equity in Deal

Select Attractions has closed with Berkson and Mills' Equity Film Exchange to handle Select's 1941-42 product in the New York territory, including Albany and Buffalo.

WMCA Sets New Ascap Music Show

Ascap last Tuesday officially notified WMCA that its Saturday evening program, "Ascap on Parade," has been canceled. The program had originated in the WMCA studios and was carried by three other New York stations as well as more than 100 others by transcription. It was intended as Ascap's "answer" to the networks in the current controversy, and featured some of the foremost names in the music field. In place of this program, WMCA will present "Just Dance," two hours of recorded music, featuring Ascap numbers, from 8 to 10 P.M.

Seek New Station In Pennsylvania

Washington, Feb. 12.—A construction permit for a new 1,420-kilocycle, 250-watt broadcasting station has been asked of the Federal Communications Commission by the Washington Broadcasting Co., Washington, Pa.

The commission also received an application from Station KGVO, Missoula, Mont., for increase of night power from 1,000 to 5,000 watts.

Extend 9 P. M. Plan

Rochester, Feb. 12.—The RKO Palace, Century and Regent here started the plan of showing the main feature of dual bills at 9 P. M. The three downtown houses likewise have shifted to Wednesday openings. The 9 P. M. plan has been instituted by the circuit in New York.

War Pictures Spur Newsreel Grosses

Pittsburgh, Feb. 12.—War pictures boost the box-office of the local Newsreel Theatre, as do films showing timely sport features, according to John McGreevy, booker for the Harris Amusement Co.

The Newsreel has been steadily increasing its gross since its conversion 16 months ago from a fourth run grind policy. Open at 9:30 A.M. to 11 P.M., the theatre charges 10 cents until noon, and 15 cents to closing.

Protest School for Ontario Operators

Toronto, Feb. 12.—On the ground that the move by the Ontario Government in establishing a training school for projectionists has created a dangerous precedent, President Tom Moore of the Dominion Trades and Labor Congress, representing a large percentage of organized labor in Canada, has called on labor councils and individual unions to support a protest against Premier M. F. Hepburn of Ontario because of the opening of the school at Toronto with 30 students.

Moore contended that the establment of the school is an offense under the Trade Schools Regulation Act which was put into force last year to restrict the activities of institutions for specialized learning and argued that the maintenance of the projectionists' classes would lead to the opening of Government schools for other industries, thereby upsetting the whole apprenticeship system. The Toronto District Trades and Labor Council adopted a resolution unanimously supporting the protest move by the Dominion Congress which will be brought before the coming session of the Ontario legislature.

Canada Towns Ban All Traveling Shows

Toronto, Feb. 12.—A number of municipalities of Ontario have placed a ban on further appearances of carnivals or traveling circuses for the remainder of the war through the adoption of resolutions by the city or town councils providing for the withholding of further licenses for such shows whether they are to be held under charity auspices or not.

The first to take this action was the City of Sault Ste. Marie and the latest to invoke the ban is Smiths Falls, the authorities of which have called on other cities and towns to make a similar stand.

Realign Circuit League

Scranton, Pa., Feb. 12.—The Comerford Theatres Basketball League of Scranton has been reorganized with Jack Gaughan and Robert Kilcullen retained as president and secretary, respectively. New team captains chosen in a poll include: Robert Kilcullen, Strand; Gene Lynch, Comerford; Roy Sharke, West Side; Jack Gaughan, State; Sam Miles, Capitol; Joe Phillips, Riviera.

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and
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DAILY

First in
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28 WEST 44TH ST.,
NEW YORK,
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V[illegible] 49. NO. 31 NEW YORK, U. S. A., FRIDAY, FEBRUARY 14, 1941 TEN CENTS

Exhibitors in England Ask Cut in Quota

Seek Reduction from 17½ To 15% Next Year

London, Feb. 13.—The Cinematograph Exhibitors Association will ask the British Board of Trade to reduce next year's exhibitor quota from 17½ per cent to 15 per cent, it was decided at the meeting of the C.E.A. general council yesterday.

Under the exhibitor quota as provided in the British Films Act, 17½ per cent of the product shown by a British theatre owner in any one year must be of English origin. Curtailed British production has led exhibitors to ask a reduction in their quota.

The C.E.A. also has given its approval to complete opposition to the Government's new plan for a Films Commission which would have far-reaching control over the industry. At the same time, the C.E.A. rebuked the Board of Trade for what

(*Continued on page* 4)

'Doe' Entertaining, Herald Review Says

Motion Picture Herald, in a review of Frank Capra's new picture, "Meet John Doe," published today, describes the film as follows:

"A political and sociological idea, sweeping in portent as this morning's headlines, is here reduced to its least common denominator and surrounded with romance, laughter and melodrama in sufficient quantity to provide entertainment even for those who prefer to ignore, or are unaware of, the idea.

"Exhibitors can emphasize to their audiences that both are combined without departure from the past performance record of the Frank Capra-Robert Riskin team and with the universal appeal which that item has proved it can evolve."

In its March issue, *Redbook* has this to say about the picture:

"And while it is excellent entertainment, it is an alarming story. Although entirely fictional, it does show how easy it would be for a resourceful man to switch America into the totalitarian column. All he would need would be a bankroll and a clever rabble-rouser."

"Meet John Doe" is a Warner release.

Day and Night Roxy 'Tobacco' Opening

Twentieth Century-Fox plans an all-day and all-night premiere of "Tobacco Road," at the Roxy Theatre next Thursday. The theatre will open its doors at 8 A.M. and will remain open throughout the night, according to present plans. Old timers believe this is the first time that such an opening has been attempted on Broadway.

Wheeler in New Attack on Films, Radio

Washington, Feb. 13.—In a new attack on alleged war propaganda by films, radio, newspapers and columnists, Sen Burton K. Wheeler today demanded that "official notice" be taken of the numerous complaints against such editorializing.

Sen. Wheeler disclosed that he had sent a letter to Fred Weber, Mutual general manager demanding copies of all talks by commentators over the network during the past year, and that he had previously sent similar demands to NBC and CBS.

"Sponsored news comments on the chains have been quite one sided in the great issue that is pending before the country at the present time, name-

(*Continued on page* 8)

F. D. R. TO ADDRESS ACADEMY BANQUET

Networks to Carry Speech Nationally from White House; Theatres May Bring Historic Talk to Patrons

Los Angeles, Feb. 13.—President Roosevelt, via radio from the White House, will address the 13th Annual Academy of Motion Picture Arts and Sciences Awards Dinner, to be held Feb. 27 at the Biltmore Hotel. The talk, which will open the program, will be carried nationally by the networks. Announcement of this precedent-shattering arrangement was made today by Walter Wanger, president. Two weeks ago, in Washington, he extended to the Chief Executive personally the Board of Governors' invitation to attend the dinner, or address the gathering.

The official notification of acceptance which was received today declared that the President could not make the trip because of the stress of international affairs but would address the dinner and the nation by way of the networks.

According to Academy officials, arrangements will be attempted to have theatre operators around the country carry the President's message over the public address system to patrons.

This marks the first time that a President of United States has addressed the industry Awards gathering. The late Vice-President Charles Curtis attended and spoke at the 1931 event. That year also marked the last time that the Academy permitted a broadcast of the dinner. The presentation of awards will follow President Roosevelt's address. The ceremonies having to do with the awards, however, will not be broadcast.

Before the Roosevelt talk, the industry will be represented nationally on another radio program, the "Town Meeting of the Air," from here, which will discuss "How Should Motion Pictures Help National Defense? NBC-Blue will carry the program beginning 6:30 P.M. Pacific time, with Walter Wanger, Academy president, participating. Others on the program will be Donald Ogden Stewart, writer; Manchester Boddy, publisher of the Los Angeles *Daily News,* and Rosalind Russell, actress.

Second Arbitration Case Filed in Capital

Washington, Feb. 13.—John H. Taylor, owner of the Charles Theatre, LaPlata, Md., today filed an arbitration petition under the consent decree. Taylor asks relief from the 14-day clearance of Lust's Marlboro in Marlboro, Md., claiming it is 30 miles from the Charles and no competition is involved. This is the second case anywhere in the country. The first also was filed here.

[Austin C. Keough and Abram F. Myers discuss the Federal consent decree and arbitration setup.—See Page 4.]

Arnold Seeks Union Laws; Ascap, U. S. Near Decree

Washington, Feb. 13.—Ascap counsel today, in lengthy conferences with Department of Justice officials, presented the consent decree proposals which were approved by the Ascap board of directors on Monday, it was reported after the meeting.

Added importance was given to the sessions today by the personal participation of Assistant Attorney General Thurman Arnold and it was believed here that Arnold's presence indicated that the Government and Ascap were coming close to an agreement.

Department of Justice officials, however, declared that they did not believe acceptance of a consent decree was imminent and pointed out that Ascap counsel, Milton Diamond and

(*Continued on page* 8)

Washington, Feb. 13.—Revision of the anti-trust laws to enable the Government to deal with "ruthless" unions which were lifted last Monday beyond the reach of the Department of Justice by a U. S. Supreme Court decision was urged today to the Temporary National Economic Committee by Assistant Attorney General Thurman Arnold.

Reviewing conditions in the labor field from the standpoint of anti-trust laws, Arnold cited a number of cases which are now exempt from prosecution, mentioning specifically the Chicago musicians' union headed by James C. Petrillo.

He declared that the musicians recently attempted to escape from Petrillo's domination and pointed out

(*Continued on page* 8)

Reviewed Today

Reviews of "Father's Son" and "Phantom Submarine" will be found on Page 7.

Coast Flashes

Hollywood, Feb. 13

SCREEN Actors Guild today informed members that George A. Hirliman, producing in Florida, and nine advertising film companies have been placed on the unfair list because of refusal to sign Guild contracts. The notice prevents members from working for the companies under threat of suspension.

The advertising film companies are Advance Cinema Equipment Co., Commonwealth Pictures Corp., Courier Productions, Inc., Ted Eshbaugh Studios, Inc., General Business Films, Inc., Rowland Rogers Pictures Service, Inc., Ruby Film Co., Willard Picture Productions and Films of Commerce Co.

•

Dismissed as an individual defendant in Joseph N. Ermolieff's $1,042,000 damage suit against RKO, George J. Schaefer, RKO president, said on the witness stand today that the company's contract with the producer was only provisional and based on Ermolieff's ability to obtain certain players acceptable to RKO.

•

International unions in the basic studio labor agreement and the producers have agreed on the question of cancellation of work notices and payment of day workers within 48 hours of dismissal, thus breaking the impasse in which the locals were about to appeal to the internationals for aid. The studios have agreed to notify workers at the end of each shift if they will be needed the next day.

Personal Mention

JOHN JOSEPH, director of advertising, publicity and exploitation for Universal, will leave for the coast today after a brief visit here.

•

TOM CONNORS leaves today for Florida.

•

AUSTIN C. KEOUGH is at Miami Beach.

•

DR. EMANUEL STERN, in charge of Paramount home office employes' welfare, has been under observation at the French Hospital for the past few days.

•

GABRIEL PASCAL, British producer, and AL MARGOLIES, United Artists publicity manager, return today from Washington.

•

MAX MELINCOFF, Warner Theatres district manager in Boston, will leave for Miami next week.

•

WILLIAM SIRICA, operator of the Lyric, Waterbury, Conn., is vacationing in Miami, while FRED QUATRANO is handling the theatre.

•

HARRY GITTLESON, editor of the RKO house organ, *Flash*, has returned to the home office from Toronto.

•

GEORGE MERRICK, independent producer, is here from the Coast.

•

HERMAN RIFKIN is in town from Boston.

WRAY JOHNSTON, president •of Mongram, is here for a visit from Hollywood.

•

MONROE GREENTHAL, JACK GOETZ, JOSEPH MOSKOWITZ and HAL YOUNG at Lindy's (51st St.) yesterday for lunch.

•

HERMAN WOBBER, ADOLPH ZUKOR, JOHN HERTZ, JR., BARNEY BALABAN, SAM SHAIN, EDWIN WEISL, TOBY GRUEN, AL LEWIN, CHARLES CURRAN, ARTHUR LOEW, DAVID LOEW, CLARKE ROBINSON, MAX GORDON, A. L. BERMAN and SIDNEY PHILLIPS lunching yesterday at Sardi's.

•

GEORGE MARSHALL has arrived in town from the Coast for a brief visit.

•

ROBERT SHERWOOD, producer, arrives here today from the Coast.

•

WILLIAM F. RODGERS, TOM CONNORS, OSCAR DOOB, DAVID LIPTON, MAURICE BERGMAN and GEORGE SKOURAS having lunch yesterday at Nick's Hunting Room in the Astor.

•

JAMES SMITH, AL ALTMAN, DOUGLAS ROTHACKER, DON HANCOCK and WILLIAM FITELSON lunching at the Tavern yesterday.

•

HARRY LINK, general professional manager of Feist, Inc., is in Hollywood.

•

DON CHAMBERS, Paramount exploitation man in New England, is in Providence.

•

DAVID DUGAN, manager of the Strand, Newport, R. I., is the father of a son, born early this week.

•

NICK MARLESMES, operator of the Roxy in New Britain, Conn., is vacationing in Florida.

•

DR. J. B. FISHMAN, general manager of Fishman Theatres, Inc., New Haven, will leave next week on a boat trip to Miami with his family.

•

GARRY BYRNES, film editor of the Providence *Journal*, is visiting here.

CAGNEY'S TOP IS 'STRAWBERRY BLONDE'!
JAMES CAGNEY and OLIVIA de HAVILLAND
in THE STRAWBERRY BLONDE
with Rita Hayworth and
ALAN HALE • JACK CARSON
GEORGE TOBIAS
Screen Play by Julius J. and Philip G. Epstein
From a Play by James Hogan
Directed by RAOUL WALSH
—so get that Trailer going!
WARNERS, Producers
major

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Newsreel Parade

THE newsreel spotlight for the second time in a week is focused on Wendell Willkie. Here he is seen giving his views on the lend-lease bill before the Senate Foreign Relations Committee. Among other events are the annual dog show in New York, a chemical explosion in Chicago, [illegible] a gas-main blast in Phil[illegible] a British freighter capsized in [illegible]elaware and U. S. Marines in parachute jumps. The contents:

MOVIETONE NEWS, No. 46—Willkie before the Senate Committee. British freighter capsizes. Explosion in Philadelphia. Dog taken to newly enlisted soldier. New York carnival to aid Britain. Dog show. Marines in parachute jumps. Ski meet in Michigan.

NEWS OF THE DAY, No. 244—Willkie pleads for British aid. British ship capsizes. Dog "human interest" story. Marines in sky maneuvers. Amateur boxing matches. Skiing. Dog show.

PARAMOUNT NEWS, No. 49—Army bombers over Puerto Rico. Gas blast in Philadelphia. Arkansas town used as artillery range. Dog and master in reunion. Nurses enlist with Red Cross. War cameraman arrives here. Willkie as Senate witness. Dog show.

RKO PATHE NEWS, No. 49—Willkie testifies. British ship capsizes. Dog show. Chicago chemical explosion. Polar Bear Club members go swimming. Biggest army camp under construction in Florida. Soccer makes debut at Madison Square Garden. Skiing.

UNIVERSAL NEWSREEL, No. 954—Willkie urges more aid to Britain. Explosions in Philadelphia and Chicago. Marines in parachute jumps. Carnival in New York for British aid. Dog flown to master. Soccer at Madison Square Garden. Baseball stars in Hot Springs, Ark. Swimmers in icy Lake Michigan. Dog show.

Paramount Pep Club Holds Party Tonight

More than 1,200 members and guests will attend the Paramount Pep Club St. Valentine Day party tonight at the Capitol Hotel. The program will consist of a buffet supper, presentation of "The Gofers Go to Town," a play written, staged and played by home office employes, and dancing to the music of Dick Raymond and his orchestra.

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DAILY
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PARAMOUNT'S "VIRGINIA" IS TAKING THE COUNTRY BY STORM!

In *every* theatre where "Virginia" has been shown to date, it has played to more people than such record-breaking smash hits as "North West Mounted Police" and "Union Pacific"!

THE PUBLIC IS RIGHT AGAIN!

AND IN NEW YORK—in its first two weeks at the Paramount Theatre, "Virginia" has been seen by 210,000 people!

That's why we're holding New York's outstanding 2-for-1 show for a

3rd SMASH WEEK!

"VIRGINIA"

in Glorious Technicolor

starring

MADELEINE CARROLL
FRED MacMURRAY

with Paramount's sensational new discoveries

STIRLING HAYDEN
and CAROLYN LEE

A Paramount Picture

Extra!

DOORS OPEN 9:30 A. M.

PARAMOUNT

TIMES SQUARE

"Looks like Lee has taken the South again!"

Carolyn Lee

Pre-release engagements give you the tip-off on "VIRGINIA" business!

"VIRGINIA"

tops "North West Mounted Police" in Washington, D. C., Cumberland, Md., Roanoke, Va. and Danville, Va.

"VIRGINIA"

Outgrosses "Love Thy Neighbor" in Miami, Memphis, Nashville, and Atlanta.

You think that's sump'n? Wait'll you see those golden box office returns from Paramount's tremendous country-wide day-and-date opening in 275 situations on Washington's Birthday!

Myers, Keough Discuss Decree and Arbitration in A. A. A. Symposium

THE Federal consent decree in the New York film case is the first such decree which, through arbitration, provides adequate means of enforcement of its provisions, it is stated by the American Arbitration Association in connection with a symposium on the film arbitration machinery published in the current issue of *Arbitration Journal*, quarterly publication of the association.

The film decree is significant in that, if it proves successful, it may serve as a model for other industries, the A.A.A. asserts, and the symposium is presented in view of this significance.

The symposium includes articles by all the elements concerned in the film arbitration setup. Provisions of the decree are discussed by James V. Hayes, special assistant to the U. S. Attorney General, in excerpts from his opening statement before Federal Judge Henry W. Goddard at the time the decree was presented to the court. Abram F. Myers, general counsel and chairman of the board of Allied States, presents the viewpoint of the independent exhibitor on arbitration. Austin C. Keough, vice-president and general counsel of Paramount, discusses the decree and arbitration from the distributor's viewpoint, and there is an article on the administration of the film arbitration system by Paul Felix Warburg, chairman of the motion picture administrative committee of the A.A.A.

What Keough Says:

Austin Keough

Keough, presenting the distributor's viewpoint, declares: "It must be admitted that exhibitors generally are opposed to the trade showing and 'groups-of-five' sections of the decree. They argue that instead of benefiting exhibitors, big or little, independent or circuit, and through them the public, the new selling system will impose hardships in time consumed and costs increased that will outweigh any good that can possibly come from it—and they say no good can come. It is to be hoped that they are mistaken. In any event, the decree can be amended if the experiment does not prove the new system a good thing for all concerned."

Discusses Provisions

The Paramount general counsel discusses various provisions of the decree and the arbitration setup.

"To the extent that the decree imposes obligations voluntarily undetaken by the distributors, it imposes upon them new rules of trade conduct," he says. "It does not go beyond this. It does not make new law. It does not empower the arbitrators to establish additional trade practices or put additional restraints or limitations upon either the distributors who consented to the decree or exhibitors who arbitrate under it. Economic and social theories are not to be legislated into existence by arbitration."

Keough further states: "It will be apparent that many disputes can arise over the application of the principles announced in the consent decree to the facts in any given situation and there will be controveries as to whether or not the decree is being carried out.

"Has an exhibitor unwillingly licensed more groups of feature pictures than he desires because the distributor made it a condition of dealing that he take 'all or none'? Or has the distributor refused to deal with an exhibitor because he will not take the extra unwanted pictures? Has the distributor tried to 'force' newsreels and short subjects upon the customer as a condition of getting the distributor's feature pictures? Or was the refusal of the distributor to deal with the exhibitor in a given instance merely the result of their inability to agree upon the terms of a contract? Is the exhibitor's demand to cancel out a feature based upon the fact that it gives offense generally to his patrons on some ground of morals, race or religion, or does the claim come merely because a few vehement critics, who want to be the unofficial censors for the whole community, have exerted pressure upon the theatre manager? Or does the manager merely think he will not make enough money on the picture and is asserting a specious ground of cancellation to avoid what he thinks may turn out to be a bad bargain?

Arbitration 'Obvious' Solution

"The foregoing, by way of illustration, are some of the questions that will have to be decided under the decree if disputes arise. It was the wish of the Government and of the five companies that there should be a reasonably speedy and inexpensive method of decision provided for their settlement. Arbitration was the obvious way."

What Myers Says:

Abram Myers

"There is reason to believe that the distributors would rather see the system succeed than to see it fail," Myers declares in his article. In arbitration, the decree "will be liberally construed in favor of the independent exhibitors," Myers believes.

Use by the distributors of the right of appeal on every case at arbitration under the consent decree regardless of the amount involved, would bring the system into disrepute, Myers says.

"The arbitration proceedings will constitute the record on which the Department of Justice will eventually decide whether to apply to the court for further relief against the defendants," Myers says.

The value of the arbitration proceedings to the independent exhibitors will depend largely on whether the tribunals function quickly and cheaply, Myers declares.

Referring to conciliation, Myers points out that there has never been a time when conciliation could not have been practiced with respect to the special benefits and privileges enjoyed by the circuits, "but the latter were not willing voluntarily to relinquish those privileges."

'Aims at Conciliation'

Myers continues: "The important consideration overlooked by these critics (of the decree) is that the decree is definitely calculated to promote, not discourage, conciliation and side-line settlements."

"Taking a broad view, it is decidely to the advantage of the distributors to settle as many claims as possible before proceedings are begun," says Myers in a reference to the three-year trial period on theatre holdings of the consenting companies. "If, at the end of three years, it should appear that no cases have been filed and no awards have been made, there would be no record on which the Attorney General could apply to the court for further relief."

"The decree necessarily imparts into every arbitration proceeding as a basic and indispensable element the background of Sherman Law violation," Myers declares.

"The purpose of the decree to remedy the conditions graphically depicted in the Government's complaint shines through every line of its verbiage. Arbitrators both on the local tribunals and on the Appeal Board in interpreting and applying the decree will give full scope to its remedial purpose."

Unique features of the arbitration system of the decree pointed out by Myers are: provision for arbitration by exhibitors against distributors, but no provision for proceedings by distributors against exhibitors; controversies can be abitrated which could not be the subject of civil actions at law without allegations and proof of combination and conspiracy; arbitration tribunals are charged with deciding controversies on abstract principles of "reasonableness," with no fixed standards to guide them, and a complaining exhibitor may receive an award at the expense of another exhibitor without joining the latter as a party, although the affected exhibitor may intervene.

Local Arbitration Panel Set Tuesday

The American Arbitration Association next Tuesday will appoint the panel of 25 to 40 arbitrators who will serve in the New York area in handling film cases under the consent decree arbitration system, it was learned yesterday.

Exhibitors in England Ask Cut in Quota

(*Continued from page* 1)

was described as the secrecy of its policy, but expressed a willingness to contribute constructive suggestions.

It is unofficially understood [illegible] such suggestions would be [illegible] the exhibitor contention that the Board of Trade already posseses adequate power to adjust legislation as required with no necessity of a Films Commission being set up. The council yesterday endorsed the stand of Harry P. E. Mears, C.E.A. president against a commission, and authorized local branches to deal with further developments.

The Kinematograph Renters Society (distributors) met today and discussed the commission proposal.

Rapid developments in the commission situation are anticipated in informed quarters, with an all-industry conference a possibility in the near future, and the likelihood existing that within the next week the Board of Trade will formally announce the completion of the commission plan.

It also is understood that the exhibitors, with Mears as the dominant factor, contend that British interests are identical with American interests and would oppose any action likely to interfere with existing Anglo-American trade and political relations.

Exhibitors, concerned over business in the areas subjected to constant bombing, will ask the K.R.S.-C.E.A. joint committee to consider the possibility of special rental terms in the areas affected by enemy action.

The annual general meeting of the C.E.A. will be held at Nottingham on March 11.

Brodstein Dropped In Philadelphia Suit

PHILADELPHIA, Feb. 13.—Judge Guy K. Bard in Federal Court here granted the petition of David B. Brodstein, Reading, Pa., exhibitor, to be dropped as joint defendant in an anti-trust suit against seven exhibitors and the major distributors.

The suit, filed last November, was brought by Harry Block and Henry Sork, independent exhibitors of Reading and Schuylkill Haven. Brodstein contended that as operator of a single house he had nothing to do with clearance, which was the basis of the suit.

quality plus quantity

The audit reports of the Audit Bureau of Circulations for the twelve month period ending June 30, 1940 (last audited circulation figures) show the following comparative figures for the publications in the motion picture field reporting to the Audit Bureau of Circulations:

NET PAID SUBSCRIPTIONS

Motion Picture Herald	15,406
Paper B	13,885
Paper C	4,266

SUBSCRIPTIONS SOLD AT LESS THAN BASIC PRICE*

Motion Picture Herald	2,070
Paper B	6,107
Paper C	2,081

SUBSCRIPTIONS SOLD WITH PREMIUMS

Motion Picture Herald	None
Paper B	5,875
Paper C	1,254

BASIC SUBSCRIPTION PRICE

Motion Picture Herald	$5
Paper B	$2
Paper C	$2

Over a period of ten years of constructive service to the industry, MOTION PICTURE HERALD has maintained, and still maintains, its solid, substantial subscription list without resort to promiscuous price-cutting and premium inducements.

*(*Motion Picture Herald's basic price is five dollars per year, with reduced prices for subscriptions in groups of ten or more.)*

MOTION PICTURE HERALD

Todd Takes Over Chicago Oriental

CHICAGO, Feb. 13.—Effective tomorrow, Michael Todd will begin operation of the Oriental Theatre in the Loop here. Todd will take over from Jones, Linick and Schaefer, who have operated the house for the past two years.

Todd leased the house from the 32 West Randolph Street Building Corp. At present he has two legitimate stage shows on the road and operates the Michael Todd Theatre Cafe on Chicago's North Side. He also operated concessions at the New York World's Fair.

Reports were current recently that Balaban & Katz were negotiating for the theatre. The Department of Justice notified Eli Mayer, atorney for the Metropolis Land Corp., owner of the ground lease, at that time that leasing of the Oriental by B. & K. would be considered by the Government violation of the Chicago consent decree to which B. & K. is a party. The negotiations presumably were dropped at that time, and subsequently it was understood that Jones, Linick and Schaefer would continue to operate the house. There had been no previous indication that Todd would operate the theatre.

File New Queries in Schine Trust Action

BUFFALO, Feb. 13.—Additional interrogatories have been filed by the Department of Justice in the Schine anti-trust case in Federal Court here against John A. May, J. Myer Schine and Louis W. Schine, executives of Schine Chain Theatres, Inc.

The papers seek information concerning the business activities of the three men. They ask that their positions in the corporation be stated and that Schine securities owned by them be listed. The Government also seeks to learn details of all loans made to any of the defendants and particulars of contracts executed for exhibition of pictures in any "Schine towns," dates of exhibition, film rentals paid and other information.

Grainger Is Guest At Seattle Luncheon

SEATTLE, Feb. 13.—A luncheon was tendered J. R. Grainger, president of Republic, on his arrival in Seattle yesterday by J. T. Sheffield, Republic franchise owner in the Northwest, at the Washington Athletic Club.

Forty prominent exhibitors and newspaper men were present, among them Frank Newman, Al Rosenberg and Frank Christie of the Fox-Evergreen Theatres Corp.; John Danz, president of Sterling Theatre Corp., and William Forman of Sterling Theatres; John Von Herberg, president of the Von Herberg Circuit; Fred Murphy Sr. and Fred Murphy Jr. of the Murphy, Washington and Oregon Theatres, and Ben Shearer of the B. F. Shearer Theatre Circuit.

Cromwell Gets Trophy

John Cromwell has received a New York University trophy for "Exceptional and Consistent High Quality of Directorial Craftsmanship."

Del. Senate Passes Sunday Option Bill

DOVER, DEL., Feb. 13.—Setting a record for speedy action on important legislation, the Delaware Senate today passed, 14-3, a bill introduced by Senator Paul Rinard providing for local option on Sunday film shows and other business, and heavier penalties for violation of Sunday laws.

The bill, presented this morning by Rinard, was reported favorably by the full Judiciary Committee early this afternoon, and a half-hour later was called up for a vote. The measure, which empowers incorporated municipalities to enact ordinances to prohibit or regulate Sunday business, is expected to go to the House at once and may be in the hands of Gov. Walter W. Bacon for signature tomorrow.

Rinard, who introduced the Sunday films bill which was defeated in the last session of the General Assembly, explained that his measure is in compliance with the suggestions of the special blue law commission which has studied the legislation and made its recommendations recently to the General Assembly.

Roxy, Music Hall Lead B'way Films

"Arizona's" $78,000 at the Radio City Music Hall, and "Western Union's" $50,000 at the Roxy, led the Broadway film parade for the week. Both theatres offer presentation shows with the pictures. While "Western Union" holds at the Roxy for a second week, "Arizona" moves out of the Rockefeller Center house because of congested bookings, making way for "This Thing Called Love."

All the product benefited from good weather and Lincoln's Birthday, observed here as a holiday.

At the Strand, "Honeymoon for Three," with Ray Noble's band on the stage, is expected to finish the first week tonight with about $27,000 and will hold over.

"The Devil Commands" opens at the Rialto today, after a $7,000 week for "Face Behind the Mask."

Award for Special Effects Is Planned

HOLLYWOOD, Feb. 13.—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, has appointed a special effect award committee, which will select one production as the outstanding special effect achievement of the year.

With Farciot Edouart as chairman, the committee includes: Lionel Banks, Jack Cosgrove, Arnold Gillespie, Alexander Golitzen, Byron Haskin, Bernard Herzbrun, Stanley Horsley, Kenneth Lambert, Harry Leonard, Louis Mesenkop, Jack Otterson, Elmer Raguse, Ray Seawright, Fred Sersen, Hal Shaw, James Stewart, S. J. Twining, Vernon Walker and Fred Wilson

Bill in Iowa Would Tax Distributors

DES MOINES, Feb. 13.—A bill introduced in the House of Representatives of the Iowa legislature would place an annual license fee of $1,000 on every Iowa distributor of motion pictures and a special tax of $1 on every reel shown in the state. The $1 a reel tax would be levied on all types, including newsreels, but would be levied only once.

Exhibitors would not be taxed, but prohibited from buying, leasing, showing or exhibiting any film acquired in any manner from an unlicensed distributor or any film on which the $1 tax had not been paid.

Florida House Opens

CRESTVILLE, Fla., Feb. 13.—A new theatre has opened here. Neil Robbins is the owner.

Botsford Quits Para. To Join LeBaron Unit

HOLLYWOOD, Feb. 13.—A.M. Botsford, for many years with Paramount, and most recently assistant to William LeBaron, managing director in charge of production, has resigned to join LeBaron in his independent producing venture for Paramount release.

Realignment of the studio personnel, following the LeBaron resignation, and the appointment of B. G. DeSylva as executive producer, also includes the resignation of Jack Moss, associate producer, who has signed a contract with Walter Wanger as a production executive. Moss' first assignment for Wanger will be in connection with "Sun Down," a *Saturday Evening Post* story scheduled for early production.

Directors, Studios Meet on Demands

HOLLYWOOD, Feb. 13.—A conciliation committee, consisting of Screen Directors Guild and producer representatives held its first meeting last night on demands of the guild for minimum wage scales for directors and assistants and other conditions, and adjourned until Feb. 26.

If the group does not agree unanimously, the problems go to arbitration, under the conditions of the directors guild bargaining contract. Representing the guild were Phil Rosen and George Stevens, while B. B. Kahane and Roy J. Obringer represented the producers.

Schad Takes Over 2 Warner Houses

READING, Pa., Feb. 13.—Harry J. Schad, owner of the Astor and Strand here, is resuming control following the expiration of Warner Theatres' lease on the two theatres. J. Lester Stallman, manager of the two for the past three years, will act as general manager for Schad.

Warners have taken over the State, formerly held under a joint Warner and Wilmer & Vincent lease, and operated by the latter circuit. Wilmer B. Huffman will handle Warner interests locally.

Plan Mexican Serial

MEXICO CITY, Feb. 13.—Production of Mexico's first serial, "Las Calaveras del Terror" ("Skulls of Terror"), is being prepared here by Carlos Ezquerro of California Films. The 12-chapter picture is to be released in the Spring.

'Virginia' Capitol's Winner at $23,600

WASHINGTON, Feb. 13.—An eight-day run of "Virginia" at Warner's Earle took $23,600. "Second Chorus" at Loew's Capitol did $17,500.

Estimated takings for the week ending Feb. 6-7:

"Virginia" (Para.)
WARNER'S EARLE—(2,200) (28c-39c-44c-66c-77c) 8 days. On stage: "Melody and Madness" revue. Gross: $23,600. (Average, $16,000)

"Second Chorus" (Para.)
LOEW'S CAPITOL—(3,434) (28c-[illegible]-66c-77c) 7 days. On stage: Hal Le Roy, Three Sailors, Stuart-Morgan Dancers, Romano Bros., Rhythm Rockets. Gross: $17,500. (Average, $16,000)

"Buck Privates" (Univ.)
RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $7,500. (Average, $7,500)

"Gone With the Wind" (M-G-M)
LOEW'S PALACE—(2,300) (40c-55c) 7 days, 3rd week. Gross: $13,000. (Average, $13,000)

"Hudson's Bay" (20th-Fox)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $5,000. (Average, $4,000)

"North West Mounted Police" (Para.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $6,800. (Average, $4,500)

'Called Love' Gets $9,000, Cleveland

CLEVELAND, Feb. 13.—"This Thing Called Love" did an excellent $9,000 here in its second week at the Allen. "Escape to Glory," assisted by Cab Calloway on the Palace stage, drew a strong $21,000.

Estimated takings for the week ending Feb. 6:

"This Thing Called Love" (Col.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $9,000. (Average, $4,000)

"High Sierra" (W.B.)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $12,500. (Average, $11,000)

"Escape to Glory" (Col.)
RKO PALACE—(3,100) (33c-47c-55c) Cab Calloway on stage. 7 days. Gross: $21,000. (Average, $13,500)

"Thief of Bagdad" (U.A.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $14,000. (Average, $11,000)

"Gone With the Wind" (M-G-M)
LOEW'S STILLMAN—(1,900) (40c-58c) 7 days, 3rd week. Gross: $10,500. (Average, $4,000)

'Wind' with $18,500 Is Indianapolis Hit

INDIANAPOLIS, Feb. 13.—In its return engagement, "Gone With the Wind" hit a smash $18,500 at Loew's. "Mr. and Mrs. Smith" and "The Saint in Palm Springs" drew $9,600 at the Indiana. The weather was cold.

Estimated takings for the week ending Feb. 7:

"Kitty Foyle" (RKO)
"Remedy for Riches" (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $5,000. (Average, $6,000)

"Mr. and Mrs. Smith" (RKO)
"The Saint in Palm Springs" (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $9,600. (Average, $5,500)

"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (40c-55c) 7 days. Gross: $18,500. (Average, $7,000)

"Meet the Missus" (Rep.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Gray Gordon and his Tic-Toc Rhythm Orchestra and Revue. Gross: $7,700. (Average, $8,000)

File RKO Suit Notice

RKO filed notice in Federal Court here yesterday that Helen Twelvetrees, plaintiff in an action for $100,000 against the company, would be examined on Feb. 24. The actress claimed to have been libeled in the film, "I'm Still Alive."

'Shock' Dual

Paramount's two new films, "The Mad Doctor" and "The Monster and the Girl," will be offered in dual territories as a "double bill shock show," according to Neil Agnew, Paramount vice-president in charge of sales.

Providence Gives Wind' Big $14,400

PROVIDENCE, Feb. 13.—In its second popular price week at Loew's State, "Gone With the Wind" rolled up $14,400. "Kitty Foyle" in its fifth week took $6,000 at the RKO Albee.

Estimated takings for the week ending Feb. 5-6:

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 5th week. Gross: $6,000. (Average, $6,000)
"Gone With the Wind" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-55c) 7 days, 2nd week. Gross: $14,400. (Average, $11,000)
"Honeymoon for Three" (W. B.)
"Romance of the Rio Grande" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,400. (Average, $7,000)
"You're the One" (Para.)
"Behind the News" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $7,000. (Average, $6,000)
"The Villain Still Pursued Her" (RKO)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Bobby Byrne and orchestra; Minnevitch's Harmonica Rascals; Pat Henning and Betty Raye; Jack McCoy; and Don and Ruth Lane. Gross: $5,200. (Average, $5,500)
"Wyoming Wildcat" (Rep.)
FAY'S—(1,800) (33c-39c-44c) Stage show with Singing Powers Models; Roberta's Circus; Flo La Vere and Lou Handman, Dick Nash and Janet Evans; and the Three Chords. 7 days. Gross: $4,600. (Average, $5,000)
"High Sierra" (W. B.)
"The Case of the Black Parrot" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 6 days 2nd week. Gross: $3,100. (Average, $3,000)
"The Philadelphia Story" (M-G-M) (3 days)
"Escape to Glory" (Col.) (3 days)
"Second Chorus" (Para.) (4 days)
"Chad Hanna" (20th-Fox) 4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $2,000)

'Mothers' Scores $16,800 in Buffalo

BUFFALO, Feb. 13.—"Four Mothers" and Phil Spitalny and his girl orchestra on the stage at the Buffalo drew $16,800. "The Philadelphia Story" and "The Wild Man of Borneo" at the Hippodrome took $9,900.

Estimated takings for the week ending Feb. 8:

"Four Mothers" (W. B.)
BUFFALO—(3,489) (30c-35c-55c) 7 days. Phil Spitalny and his Hour of Charm all-girl orchestra on stage, with Vivien, Evelyn, The Three Little Words, Rose, Linda and Lola; Mary McClenahan, June and Johnny Coy. Gross: $16,800. (Average, $12,000)
"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (40c-55c) 7 days 3rd week. Gross. $13,800. (Average, $7,500)
"The Philadelphia Story" (M-G-M)
"The Wild Man of Borneo" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $9,900. (Average, $6,800)
"One Crowded Night" (RKO) 3 days.
"Let's Make Music" (RKO) 4 days.
"Lil Abner" (RKO) 4 days.
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. Vincent Lopez and his orchestra on stage for three days, with Anne Barret, Sonny Skyler, Pearl Robbins and the Arnaut Brothers. Gross: $11,000. (Average, $7,500)
"The Invisible Woman" (Univ.)
"Margie" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $7,000. (Average, $6,300)

Feature Reviews

"Father's Son"

(Warners)

BASED on a story by Booth Tarkington, "Father's Son" is a sentimental but familiar tale of a father (John Litel) who was too busy with business and community affairs to understand his own son. The latter, engagingly portrayed by young Billy Dawson, is a typical, mischievous young lad who manages to annoy his father from sheer exuberance.

Parents and grandparents, too, are likely to enjoy this portrayal of family life, with its cares, its tribulations and simple joys. D. Ross Lederman, who directed, has supplied many such touches, but the younger folk are likely to find the lack of good plot development a shortcoming.

Frieda Inescort plays the understanding mother who, when she finds that her husband's short temper is depriving Bill of his natural home life, decides that it would be better to set up a home of her own for herself and her son. Bill, of course, who is a normal youngster, notices that his parents are unhappy about the separation and arranges a fake kidnaping to bring them together again.

Running time, 57 minutes. "G."* EDWARD GREIF

"Phantom Submarine"

(Columbia)

STARTING off with a mysterious murder, a reporter assigned to investigate the presense of a submarine and a freighter whose crew seeks to recover gold on a sunken vessel in the Caribbean, this gives every indication in the early sequences of exciting entertainment to follow, but not until relatively late in the film does any tenseness really develop. It lacks consistency in maintaining suspense.

Anita Louise plays the part of crack newspaper woman, whose knowledge of the sea leads to her employment by the Government to investigate the submarine, which was seen in the vicinity of the sunken ship. She and the members of the expedition uncover, among other things, mine-strewn waters and a small island inhabited by foreign agents. Charles Barton directed.

Running time, 70 minutes. "G."*

**"G" denotes general classification.*

'Wind' Registers $12,000 in Toronto

TORONTO, Feb. 13.—"Gone With the Wind" took $12,000 in the second week at Loew's. "This Thing Called Love" at the Imperial in the third week drew $9,800. "Kitty Foyle" registered $11,800 at the Uptown.

Estimated takings for the week ending Feb. 8:

"This Thing Called Love" (Col.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days, 3rd week. Gross: $9,800. (Average. $9,000)
"Gone With the Wind" (M-G-M)
LOEW'S—(2,074) (25c-40c-50c-75c) 6 days, 2nd week. Gross: $12,000. (Average, $9,000)
"Little Men" (RKO)
"Let's Make Music" (RKO)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $7,800. (Average, $7,500)
"Tin Pan Alley" (20th-Fox)
"South of Suez" (W. B.)
TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $3,500. (Average, $3,900)
"Kitty Foyle" (RKO)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) (days. Gross: $11,800. (Average, $9,000)

Lyons Is Transferred

DES MOINES, Feb. 13.—Harold Lyons, formerly salesman at the 20th Century-Fox Minneapolis office, has been transferred here as salesman, replacing A. W. Riegelman, who died recently.

New Film at Filmarte

"Compliments of Mr. Flow," French film starring Fernand Gravet and Louis Jouvert, will open at the Filmarte on Sunday. The film is released by Hoffberg Productions.

'Story' at $24,000 Best in Pittsburgh

PITTSBURGH, Feb. 13.—"Philadelphia Story" paced the city with $24,000 at Loew's Penn. "Gone With the Wind" and "This Thing Called Love" took, respectively, $10,000 at the Warner and $6,700 at the Senator.

Estimated takings for the week ending Feb. 6:

"East River" (W. B.)
FULTON—(1,700) (30c-44c) 7 days. Gross: $3,500. (Average, $5,000)
"Philadelphia Story" (M-G-M)
LOEW'S PENN—(3,400) (44c-55c) 7 days. Gross: $24,000. (Average, $13,000)
"Texas Rangers" (Para.)
"A Night at Earl Carroll's" (Para.)
RITZ—(800) (28c-44c) 7 days. Gross: $2,500. (Average, $3,500)
"This Thing Called Love" (Col.)
SENATOR—(1,800) (28c-39c-55c) 7 days, 3rd week. Gross: $6,700. (Average, $5,000)
"Four Mothers" (W. B.)
STANLEY—(28c-44c-66c) 7 days. On stage: "La Conga Revue." Gross: $15,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
WARNER—(2,000) (28c-39c-55c) 7 days, 3rd week. Gross: $10,000. (Average, $5,000)

John Graham Moves

John Graham of Movietone News has leased an apartment at 24 Central Park West, from Pease & Elliman, Inc., through Brown, Wheelock, Harris, Stevens, Inc.

Gets Puerto Rican Post

Hal Winston has been appointed advertising and publicity manager of the Ramos Cobian Circuit, in San Juan, Puerto Rico.

'Story' Holds Strong Pace, Frisco Lead

SAN FRANCISCO, Feb. 13.—Two holdovers set a good pace. "Philadelphia Story," paired with "Jennie," took $17,500 for the second week at the Fox, and "Kitty Foyle" turned in strong $14,500 at the Golden Gate. The weather was good most of the week.

Estimated takings for the week ending Feb. 4-7:

"Kitty Foyle" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: vaudeville. Gross: $14,500. (Average, $15,000)
"Philadelphia Story" (M-G-M)
"Jennie" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $17,500. (Average, $16,000)
"Comrade X" (M-G-M)
"Romance of the Rio Grande" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 4th week. Gross: $5,000. (Average, $6,000)
"This Thing Called Love" (Col.)
"Ellery Queen, Master Detective" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 4th week. Gross: $7,200. (Average, $8,000)
"The Long Voyage Home" (U.A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $9,500. (Average, $8,000)
"Tall, Dark and Handsome" (20th-Fox)
"Keeping Company" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c50c) 7 days. Gross: $9,500. (Average, $11,500)
"Night Train" (20th-Fox)
"Maisie Was a Lady" (M-G-M)
WARFIELD — (2,680) (15c-35c-40c-50c) 6 days. Gross: $11,500. (Average, $12,000)
"Queen of La Scala" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $800. (Average, $1,000)

'Chorus' and Show Minneapolis High

MINNEAPOLIS, Feb. 13. — "Second Chorus," with a stage show headed by the Andrews Sisters at the Orpheum did a strong $17,000.

Estimated takings for the week ending Feb. 7:

"Second Chorus" (Para.)
ORPHEUM—(2,800) (28c-39c-44c-55c) With Andrews Sisters, Three Stooges, Joe Venuti's band on stage. 7 days. Gross, $17,000. (Average. $5,500)
"The Philadelphia Story" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days, 2nd week. Gross. $8.500. (Average, $6,000)
"The Bank Dick" (Univ.)
GOPHER—(998) (28c) 7 days. Gross, $2,300. (Average, $2,500.)
"Melody Ranch" (Rep.)
MINNESOTA — (4,000) (28c-39c) With "Screwballs of 1941," headlining Jack Powell, on stage. 7 days. gross: $7,500. (Average, $8,500)
"The Son of Monte Chisto" (U. A.)
CENTURY — (1,600) (28c-44c) 7 days. Gross: $4,000. (Average, $4,000)
"The Lilac Domino" (Ind.) 3 days
"The Long Voyage Home" (U. A.) 4 days
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $300 and $1,300, total $1,600. (Average, $1,600)
"One Night in the Tropics" (Univ.)
"Case of the Black Parrot" (W. B.)
ASTER—(900) (15c-28c) 6 days. Gross: $2,500. (Average. $1,600)

To Quiz Zanuck in Suit

Notice was filed in Federal Court here yesterday that Darryl F. Zanuck, 20th Century-Fox vice-president in charge of production, would be examined before trial next Monday in connection with the suit of Eleanor Harris against the company. She has asked $50,000 damages for alleged improper screen credit on the film, "Brigham Young."

14-Cent Music Royalty Sought On Canada Sets

OTTAWA, Feb. 13.—The Copyright Appeals Board yesterday heard applications by the Canadian Performing Rights Society, which controls Ascap music here, for an increase in the broadcast royalty rates from eight to 14 cents per radio set, while Broadcast Music of Canada, Inc., which controls BMI music, demanded four cents of the present eight cents per set.

Col. O. M. Biggar, representing the P. R. S., which hitherto has held exclusive rights in Canada on radio music royalties, told the board that the increase from the rate set five years ago was being sought because "since 1935 the situation in relation to radio broadcasting throughout the world has changed greatly." Justice MacLean, who presided over the hearing, was told by Biggar that the increase would bring P. R. S. about $100,000 additional revenue this year.

Swamped With BMI Music

Joseph Sedgwick, representing BMI, declared that the newer organization was entitled to four cents "on the basis of our used and usable repertoire, if the present rate stands." Samuel Rogers, representing the Canadian Association of Broadcasters, said that because Ascap music had been eliminated by U. S. networks, Canadian stations were being "swamped with BMI music piped in from the United States."

Fear that theatres and other commercial users of music might later become involved in royalties claimed by BMI was expressed by A. J. Thompson, representing the Musical Protective Society of Canada.

Arnold Urges Laws On Patent Licenses

WASHINGTON, Feb. 13.—Legislation prohibiting owners of patents from granting licenses which restrict the amount of any article which may be produced, the price at which it may be sold or the purpose or manner in which it may be used, was suggested to the Temporary National Economic Committee yesterday by Assistant Attorney General Thurman Arnold, as a recommendation which should be made in its final report to Congress.

Arnold appeared before the committee at the opening of sessions at which the members of the T. N. E. C. will offer their suggestions for legislation recommendations. Patent legislation, said Arnold, should permit a patent owner to enjoy the full fruits of his monopoly if he elects to retain the exclusive privilege of producing thereunder, but if he elects to grant licenses, no restrictions on price, production or use should be permitted.

Radio Company Formed

DOVER, Del., Feb. 13.—The Gibraltar Service Corp. has been incorporated here to deal in radio broadcasting with a capital of $500,000.

Off the Antenna

SO great has been the congestion in radio manufacturing plants caused by defense orders that the FCC has been compelled to set back for a year or more the requirement that airport control radios operate on 130 m.c. band. Expected deliveries of ultra high frequency equipment, particularly aircraft receiving equipment, have been delayed by the defense program. Under the new order, airports must start operations on the new band between Jan. 1, 1942, and July 1, 1943, depending on the type of airport.

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Program News: *Ralston Purina Co. has extended its NBC-Blue contract four weeks to April 25 for "Tom Mix Straight Shooters" . . . The "Dr. I.Q." show heard Mondays at 9 P.M. over NBC-Red will originate from the stage of the Orpheum Theatre in Seattle, for six weeks beginning Feb. 24 . . . New spot accounts on WHN include Parker Bros., Mission Bell wines, Packard Motors, and the Roxy. Wise Shoe Co. has signed for participations in the station's "Cinderella" show.*

• • •

WNYC is staging its second annual Music Festival which features American music in all its forms. Among the organizations and guests who will be heard during the series are the Metropolitan Opera Co., League of Composers, Kolisch Quartet, Juilliard School of Music, Deems Taylor, Morton Gould, Philip James, Olin Downes, American Ballad Singers, Ruggiero Ricci, Abram Chasins, Richard Hale, Benny Goodman, Golden Gate Quartet and Tommy Dorsey. The final program will be heard on Washington's Birthday.

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Purely Personal: *Jesse Thompson, who has handled promotion material on a free lance basis for agencies and others, has joined the NBC-Blue sales promotion staff . . . Dave Driscoll, head of WOR's special events department, and Al Josephy, his assistant, will compete in a canoe jousting match at the Sportsman's Show tomorrow at 1:30 P.M. with Tom Slater, of the same staff, describing the show for the benefit of WOR listeners . . . Bert Lee will celebrate five consecutive years of sports broadcasting March 31 when Axton-Fisher Tobacco Co. will start sponsorship of "Today's Baseball" over WHN for 26 weeks . . . Gary Cooper will be among the guests on the Veterans of Foreign Wars* 10*th Annual broadcast, over the NBC-Blue next Thursday.*

Arnold Seeks Union Laws; Ascap, U. S. Near Decree

(*Continued from page* 1)

Lt. Gov. Charles Poletti, would have to report back to the Ascap board before final action could be taken.

The officials would not comment on the progress of negotiations but indicated that opinion is divided whether Ascap is prepared to accept Arnold's ultimatum delivered before the filing of the suit, that all the department's demands be met.

No Comment Here

Ascap officials here would not comment on the progress of the negotiations other than to say that the matter was in the hands of their attorneys who were conferring in Washington.

Dismissal of the entire publicity staff headed by A. P. Waxman which was hired last summer was confirmed yesterday. This move followed closely the abandonment of the "Ascap on Parade" broadcasts earlier this week. E. C. Mills, Ascap executive, declared that the task of publicizing the fight with the radio industry had been completed and that there was no further need of an extensive publicity staff. Mills declined to elaborate on the dropping of the radio programs and reiterated that the only reason for the discontinuance was that Billy Rose and Oscar Hammerstein, who produced the show, were too busy to continue.

Other Ascap sources indicated that the latest moves were prompted by a desire to remove any difficulties in the way of resumption of negotiations with broadcasters. It was also pointed out that if the negotiations were to be long and drawn out, Ascap would have to retrench and that considerable funds could be saved.

(*Continued from page* 1)

that instrumentalists in the American Guild of Musical Artists had obtained an A.F.L. charter. Arnold commented, "They were instantly suppressed by a threat of Petrillo to bar them from radio, from recordings, from concert halls, and from motion pictures if they did not abandon their attempt to escape the domination of his union."

AGMA was organized several years ago under the charter of the Associated Actors and Artistes of America to cover instrumentalists, opera singers and others in the concert field. Last autumn, Petrillo declared that unless the instrumentalists joined the union,, he would bar them from the fields mentioned by Arnold. Injunction proceedings were brought but the N. Y. Appellate Division recently dismissed AGMA's complaint.

Two-Men-in-Booth Bill Filed in Conn.

NEW HAVEN, Feb. 13.—The two-men-in-a-booth bill, defeated for six successive years, has once more been filed in the state legislature by Senator S. H.Malkan.

A games bill filed by Senator Coles, would permit municipalities to retain games for civic, religious and fraternal organizations indefinitely, after voting favorably on games for two successive years.

Copyright societies under another bill would be required to pay a license fee to the state of 25 per cent of their entire gross receipts here.

Wheeler in New Attack on Films, Radio

(*Continued from page* 1)

ly, the lease-lend bill, and the question of our neutrality," Sen. Wheeler asserted.

CBS Makes Denial

CBS promptly denied the charge that it permitted editorializing of the news on its network and declared that it had maintained "a strict impartiality" on questions like the lease-lend bill. It was pointed out that opponents of the bill had more time than proponents during the 15 broadcasts thus far devoted to the subject over the network. CBS agreed to furnish Sen. Wheeler with the text of any news broadcasts he desired but added that most of the material came directly from the wires of the three press services.

Frank M. Russell, NBC vice-president in charge of the Washington office, said that his company has turned over all the information requested by Sen. Wheeler.

Mutual officials stated that they had not yet received any communication relating to the subject but that a statement would be forthcoming today if the letter arrived.

Seek Permits for 2 New FM Stations

WASHINGTON, Feb. 13.—Construction permits for two FM broadcasting stations have been issued by the Federal Communications Commission, to the Pennsylvania Broadcasting Co., Philadelphia, for a 44-700-kilocycle station to cover 9,300 square miles with a population of 4,500,000, and John Lord Booth, Detroit, for a 44,900-kilocycle station to cover 6,800 square miles with a population of 2,900,000.

Applications for three other FM stations were ordered set for hearings, involving a 47,500-kilocycle station applied for by the WBNX Broadcasting Co., Inc., New York, to cover 8,730 square miles; a 47,100-kilocycle station sought by the Bremer Broadcasting Corp., New York, to cover 8,500 square miles; and a 44,300-kilocycle station proposed by the Outlet Company, Providence, to cover 16,370 square miles.

Hearings also were ordered on the applications of Ralph L. Lewis for a new 1,370-kilocycle, 100-watt station at Greensboro, N. C.; Butler Radio, Inc., for a 1,370-kilocycle, 250-watt station at Tyler, N. C., and Wayne M. Nelson for a 1,380-kilocycle, 1,000-watt daytime station at Concord, N. C., and on the request of Station WJJD, Chicago, for extension of time from limited to unlimited.

Settle Flanter Action

The suit of Adrian Flanter against the Greater New York Broadcasting Corp. for $4,159 was settled and discontinued in N. Y. Supreme Court yesterday. Flanter, former manager of the company, claimed he was improperly discharged in April, 1940.

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Goldwyn Sale Of Stock Will Be Cash Deal

Papers Being Drawn for $300,000 Transaction

Samuel Goldwyn's deal on the sale of his one-fifth interest in United Artists to the company for $300,000 is on a strictly cash basis, it was learned over the weekend. Final papers are now being drawn by the attorneys representing Goldwyn and United Artists.

Maurice Silverstone, operating head of the company, who has been in Palm Springs with David Selznick, returned to Hollywood on Friday and is expected to leave for New York some time this week.

Goldwyn, according to spokesmen, will not rush into any new releasing agreement. He is said to be content to bide his time before entering into another distribution arrangement.

Further details of Goldwyn's deal with United Artists are expected to be revealed when the stock disposal deal will be consummated, according to Goldwyn's associates.

Alexander Korda is due here late this week with a print of "That Hamilton Woman," his latest picture, starring Vivien Leigh and Laurence Olivier.

NBC, Mutual to Carry F.D.R.'s Awards Talk

President Roosevelt's address to the Academy of M.P. Arts and Sciences on the night of the 13th annual awards dinner Feb. 27 will be carried by Mutual and possibly also CBS besides the NBC-Blue network. A 15-minute program which will start at 11:45 P.M. EST will be opened by Walter Wanger, Academy president, who will introduce President Roosevelt.

The President will speak for five minutes and the remaining eight will be divided among two or more other speakers. The President will speak from Washington.

Friedman Is Quigley Hollywood Manager

Hollywood, Feb. 16.—Martin Quigley has announced here the appointment of Leon A. Friedman as manager of the Hollywood office of Quigley Publications. Friedman has been an account executive in association with Eastern advertising agencies, and is experienced in advertising, publicity and promotion.

Northwest Allied Pressing Bill to Ban Blocks of 5

Minneapolis, Feb. 16.—The possibility that Northwest Allied might backwater on its decision to seek a bill in the Minnesota legislature contravening the block-of-five provision of the consent decree, was dashed yesterday when the legislative committee determined to go ahead full force with the bill.

Fred Strom, secretary of Northwest Allied, in a statement said the legislative committee, to which the bill was referred at the recent Allied meeting here, had held a number of meetings and considered the question from all angles, then had voted unanimously to seek its passage.

His statement said:

"The committee was firm and unalterable in its opinion that the independent exhibitor, both as it relates to subsequent runs in the Twin Cities and out-of-town situations, many of them hundreds of miles removed from the Minneapolis exchange center, will be infinitely better off buying an entire season's output with a cancellation privilege of 20 per cent, and with no forcing of shorts, than he would be attempting to operate under terms of the consent decree.

"There were many other factors which entered into the committee's deliberations and were given careful consideration, and it was the committee's judgment and conclusion that the bill should be vigorously pressed for passage, and should receive the whole-

(*Continued on page* 6)

Duals at Matinees, Singles at Night

Detroit, Feb. 16.—A policy of double bills in the afternoon and single features at night was decided upon over the weekend by the Fox Theatre here as a result of a patron's poll during the past week. The vote was nearly 5-to-1 for singles, on the whole, with afternoon patrons favoring duals by about 5-to-1 and night customers voting 10-to-1 for singles, the management reported. There was a greater attendance of men at night.

Boston Complaint Filed by Paulston

Boston, Feb. 16.—Paulston, Inc., New England theatre operator, of which Benjamin Gold is general manager, on Friday filed a complaint with the Boston arbitration board. The complaint charges that the company was unable to get features for some runs. Named as respondents were Paramount, Warners, RKO and 20th Century-Fox.

This is the first arbitration action here and is believed to be the fourth complaint filed with the local boards in key cities under the New York case Federal consent decree.

Another arbitration complaint has been filed in Chicago by E. F. Van-

(*Continued on page* 6)

Charge Nazis Are Seeking Argentine Film Control

Buenos Aires, Feb. 16. — Local newspapers have picked up the threads of a pattern by which, it is charged, the Nazis are seeking to influence and eventually to control the motion picture market in Argentina.

Bankruptcy claims by Argentine film companies invariably list Agfa de la Argentine, raw stock distributing company, which denies any direct Berlin connection, as the largest creditor. Producers seeking backing receive generous support from the Banco Germanico. A circuit operated by a citizen of Italian extraction is expanding with the profits of the exhibition of German films, although most of its patrons attend by "invitation." These are some of the threads which have been woven into the pattern of Nazi infiltration.

The attorneys for Agfa on numerous occasions have acted on orders from Berlin, it is known, despite the firm's repudiation of official connection. Both Agfa and Siemens Schubert, supply house, show amazing readiness to extend most liberal credit to studios.

The Argentine Sono Flm is typical of the producing companies which have received large credits from the Banco Germanico. Officials of the bank appear with officers of the film company at all premieres, banquets and social functions, and in newsreels edited by the company the bank officers frequently appear prominently. The

(*Continued on page* 6)

Court Sees Schine Trial For 'Little 3'

U. S. Seeks Information From Companies

By JAMES F. SCHRADER

Buffalo, Feb. 16. — Federal Judge John Knight over the weekend told Motion Picture Daily that there is a good chance the Government's anti-trust suit against Schine Theatres will go to trial, but declined to say when the case may be heard.

Judge Knight said he understood a consent decree was in prospect, but added that such a decree would not affect all defendants in the case. The "Little 3," including Columbia, Universal and United Artists, will remain defendants, while the "Big 5," assentors to the New York case decree, will be dismissed.

The calendar in the Federal district court here is crowded at least until April, and court attaches believe that

(*Continued on page* 6)

Greek Relief Drive Ready in Theatres

Adolph Zukor, Paramount board chairman, and chairman of the Amusement Division of the Greek War Relief Association, yesterday officially opened the drive in more than 10,000 theatres throughout the country. W. G. Van Schmus, managing director of the Radio City Music Hall, made the first pledge of cooperation.

Film houses have been placed on a direct quota basis by district chairmen, with special shows to be staged during the week of March 25 to 30.

John H. Harris has been named chairman of the exhibitors committee and Gradwell L. Sears is chairman of the distributors committee.

John J. Sullivan, 56, Dies in Los Angeles

Los Angeles, Feb. 16.—John J. Sullivan, 56, vice-president and film buyer of National Theatres, died here Friday. He was ill about a year. Funeral services will be held at 9 A. M. tomorrow at St. Paul's Cathedral here. Survivors include his wife, two sons and two daughters.

51 Story Properties Bought in January

Producers during January acquired screen rights to 51 properties, of which 30 were original stories, seven were stage productions and 14 were books. Among the latter were five published magazine stories and one newspaper serial.

Highlight purchases of the month were "Panama Hattie," "Charley's Aunt," and Arsenic and Old Lace."

'Fantasia' Will Open In Detroit Tomorrow

Detroit, Feb. 16.—Preparations are completed for the premiere of "Fantasia," at the Wilson Theatre here Tuesday night. The Wilson, a legitimate house, has been dark most of the time since it was built a decade ago.

The local premiere will be a special benefit performance for the Detroit Symphony Society with $5 seats being sold by the Society for the opening. The prices after that will be $1.65 and $1.10 for the evening shows and the Saturday and Sunday matinees while matinees from Monday through Friday will be priced at $1.10 and 75 cents including tax.

"Fantasia" will open Wednesday at the Apollo in Chicago. It is scheduled to open March 5 at the Geary, San Francisco, and the Fulton, Pittsburgh.

Deny New Appeal in Del. Picketing Case

Wilmington, Feb. 16.—The Delaware Supreme Court on Friday denied a motion for reargument of an appeal in the suit of the Rialto Theatre Co. of Wilmington for an injunction against picketing by the operators' union. The Court of Chancery had granted an injunction to the theatre restraining the union from picketing the Rialto but on appeal the decision was reversed in the State Supreme Court and the injunction vacated. The Rialto thereupon sought to reargue the appeal but permission for such reargument was denied.

20th-Fox Sets 12 Musicals Next Year

Hollywood, Feb. 16.—Twelve musicals were slated by 20th Century-Fox on Friday for production for the 1941-'42 season. Eleven were announced as originals, and one will be "Song and Dance Man," former George M. Cohan vehicle, which will star Jack Oakie.

'Road Show' Tomorrow

"Road Show," Hal Roach film released by United Artists, will open at the Rialto on Broadway tomorrow instead of Thursday, as originally scheduled.

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Personal Mention

Ludwig Lawrence, general manager for M-G-M in Europe and North Africa, is due today from Lisbon on the *Excambion.*

•

Barney Balaban, president of Paramount, is in Florida.

•

Lester Isaac, director of sound and projection for Loew's, this week observes his 25th anniversary with the company.

•

William K. Saxton, Loew's city manager in Baltimore, will spend a week in Freeport, L. I., recovering from a recent operation.

•

Harry Fishman of Fishman Theatres and the Community in Fairfield, Conn., has gone to Miami for six weeks with his family.

•

Douglas Pratt, Columbia district auditor, is in Des Moines for several weeks from his headquarters in Kansas City.

•

A. W. Alexander, Altec service engineer of Ashville, N. C., has just celebrated his silver wedding anniversary.

Alexander Korda is scheduled to arrive in New York from the Coast next Friday.

•

Al Wilkie, Paramount publicity manager, returns tomorrow from Miami.

•

Mrs. Roger Mahan, wife of the Warner New Haven exchange manager, leaves this week for Miami with their son.

•

Milton Miller of Wilkes-Barre, Pa., is expected here on a visit this week.

•

William DeMille will address the Lecture Club of Cincinnati tomorrow on Hollywood.

•

Charlotte McGuigan, secretary to Harry F. Shaw, Loew-Poli manager in New Haven, has returned from a trip to Miami.

•

William C. Dippert of Universal's Des Moines exchange was married recently to Elizabeth L. Donnelly.

•

George Marshall left for Hollywood over the weekend.

Jersey Allied Names Advisors on Decree

Allied of New Jersey has named a committee of five members to act in an advisory capacity to other members who wish to make complaints under the arbitration system of the consent decree.

The committee includes: Harry H. Lowenstein, Newark; Irving Dollinger, Linden; George Gold, Newark; Sam Frank, Hammonton, and Maury Miller, Passaic, chairman. The organization also by resolution condemned the major company practice of making their films available for non-theatrical exhibition, which often is in competition with established theatres.

British Benefit at Music Hall Friday

A "Carnival for Britain" benefit show will be held at the Radio City Music Hall Friday at midnight with stars of the screen, stage and radio contributing their services. Tickets are priced at $1, $2, $3, $5 and $10.

Among the players scheduled to appear are: Gertrude Lawrence, Helen Hayes, Ethel Merman, Bill Robinson, George Burns and Gracie Allen, Joe Cook, William Gaxton, Victor Moore, Olsen and Johnson, Ethel Waters, Peggy Wood, Vera Zorina, Gracie Fields, Anton Dolin, Maurice Evans and George M. Cohan.

Conn. Exhibitor Units Meet on Legislation

New Haven, Feb. 16.—Allied Theatre Owners of Connecticut will meet here Tuesday, with A. M. Schuman presiding. State legislation will be the chief subject of discussion.

A similar discussion meeting was held on Friday by the Connecticut M.P.T.O. Arthur H. Lockwood presided.

$7,000 Verdict in Ermolieff-RKO Suit

Los Angeles, Feb. 16.—Ruling RKO had breached a contract with Joseph N. Ermolieff, European producer, Federal Judge J. F. T. O'Connor here on Friday granted a judgment for $7,000. Ermolieff had sued for $1,042,000, claiming that the company had broken its promise to have him produce a film. The court dismissed Ermolieff's request for compensation for services allegedly rendered as a producer and $20,000 which he said he spent preparing the film. The decision held that he still has the script of "I Solemnly Swear," and that it "has not lessened in value."

Robbins Honored By Ampa Thursday

Herman Robbins, president of National Screen Service, will be honored at the Ampa luncheon meeting at the Hotel Edison on Thursday, at which he will be the principal speaker. The date will mark Robbins' 20th anniversary with the company. Maurice Kann will introduce Robbins. On the dais will be executives associated with Robbins for many years.

Martha Sleeper Wed Here to Engineer

Martha Marie Sleeper, actress, niece of Mr. and Mrs. John J. Murdock, was married Friday to Harry Dresser Deutschbein, a construction engineer. The ceremony took place at the Hampshire House with Rev. Jesse William Stitt officiating. The couple left for a honeymoon in Florida and Cuba after the ceremony.

Gabin Coming Here

Jean Gabin, French actor, was reported to have left Marseilles for Hollywood over the weekend.

Competition

San Francisco, Feb. 16.—Local theatres are getting stiffer competition as a result of the opening of the $1,000,000 Golden Gate Turf Club at Albany, in the eastbay, and the day and night continuous competition of the Roller Derby, skating event held in the mammoth Civic Auditorium.

Haddock Dismissal Ratified by A.G.V.A.

At a special meeting held over the weekend, the national board of the American Guild of Variety Artists ratified its dismissal of Hoyt Haddock as executive secretary, and accepted the resignation of Dewey Barto as president of the union.

The action followed a stormy meeting of the board of the Associated Actors and Artistes of America, the parent body, when it was decided to place an executive committee in charge of AGVA affairs for 60 days, after which an election will be held for new officers.

Members of the executive committee appointed by the 4-A, however, made it clear over the weekend that they did not intend to take over active charge of the union. The AGVA national board will continue in existence with the executive committee exercising only veto power if necessary. Barto's resignation was said to be necessary to eliminate factionalism in the union for the time being and to prevent criticism that executive committee favors one group against the other.

The executive committee consists of Jean Greenfield of the Hebrew Actors Union, chairman; Ruth Richmond, representing Chorus Equity; Walter Greaza, Actors Equity; Florence Marston, Screen Actors Guild, and Emily Holt, American Federation of Radio Artists.

Fred Jordan Dies

Somers, N. Y., Feb. 16.—Fred Jordan, 60, press representative for Oscar Hammerstein for many years, died here Friday night. More recently he represented the Shuberts, and at various times handled publicity for Olga Petrova, Fanny Ward and others.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Norway's Boycott of Films Angers Nazis

WASHINGTON, Feb. 16.—"Unenlightened" Norwegians are boycotting Nazi films so enthusiastically that the German authorities in Norway have warned that other taxes will have to be increased unless the revenue from motion picture theatres improves, it was disclosed here by the Norwegian Government's press representative.

Reports disclose that citizens of Stavenger, Trondheim and Lillehammer have for weeks refused to attend local theatres, while in other towns audiences have been so unruly that the Nazi regime has issued a code of behavior and, in the Oslo district, ordered that three uniformed policemen be stationed in every theatre to preserve order.

The German-dictated "code" for Norwegians prohibits laughter, applause at the wrong place in a film, stamping of feet, whistling, coughing and even clearing of the throat. By some oversight, the Norwegian representative here pointed out, there is no ban on sneezing.

Norwegian theatres now show mostly "enlightenment" films, it was said, and in the effort to attract audiences at least one Oslo house is advertising a full hour of variety turns in addition to the picture at no advance in admissions.

Delaware Exhibitors Name Defense Group

HARRINGTON, Del., Feb. 16.—The Independent M. P. T. O. of Delaware and the Eastern Shore of Maryland has appointed a committee for national defense. The committee comprises: A. Joseph DeFiore, chairman; Mayor Edward C. Evans and Herman Handloff. DeFiore is a member of the Delaware State defense commission.

A pledge to cooperate with the committee in promoting the spirit of patriotism among American citizens, in supporting the movement for national unity, and in assisting in the national plan for arming America, was signed by each of the independent theatre men.

Continuing Sunday Pictures in Halifax

HALIFAX, N. S., Feb. 16.—Sunday programs at the Capitol here will be continued "until further notice" according to the committee in charge. Capacity attendance has prevailed at the shows, but there is no indication of the plan affecting any other house than the Capitol.

Whether the gross has been equaling the overhead has not been disclosed by the committee. There is no charge for the theatre use, the outlay being for rental of one feature picture, one or two reels of shorts, and wages for the operators and other Capitol employes.

Rochester Union Elects

ROCHESTER, Feb. 16.—Officers of the new local union for front of the house employes, recently organized in downtown theatres, are: Harry Lemeraux, Palace, president; Edward Reynolds, Regent, vice-president; Millie Garrison, Palace, treasurer, and Mary Fink, Loew's, secretary.

Feature Review

"Blonde Inspiration"

(M-G-M)

THIS appears to have been produced as a training film for some of the M-G-M studio's promising youngsters, of whom two, John Shelton and Virginia Grey, have the leads. The two give every evidence of ability and screen personality, especially in view of the fact that they were able to register in spite of most inept material.

The story, based on "an original play" by John Cecil Holm, is concerned with the effort of a young man, burning with the literary fire, to make his way by writing for a Western pulp magazine, his entanglement with the pair of crooks who operate it, and his romance with Miss Grey, secretary to the two men. The boy learns his lesson by experience, after almost losing $2,000 his uncle had given him without the knowledge of his "business-woman" aunt, and love, we are informed, apparently conquers all.

Such stalwart and able performers over the years as Charles Butterworth and Donald Meek, are in the supporting cast, and they work hard, but they have little with which to work.

B. P. Fineman produced, and Busby Berkeley directed this film, which might have some interest for younger patrons in double bill situations.

Running time, 72 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Short Subject Reviews

"More About Nostradamus"

(M-G-M)

The prophesies of the French seer of the 16th century are dramatized by Carey Wilson in a dynamic sequel to the original "Nostradamus" of two years ago. The film first depicts dramatically the death of a nobleman who desecrated Nostradamus' tomb, just as predicted. It then follows Nostradamus' book of predictions, "Prophetic Centuries," and depicts how they are borne out in such historical developments as Britain's defeat of the Spanish armada, the World War and various episodes in the second World War. Nostradamus also wrote of the U. S. entry into the present war and of a vanquished German nation. The effect is startling. Running time, 11 minutes.

"Red Men on Parade"

(M-G-M)

In this instance James A. Fitzpatrick's color camera is focused on activities at the American Indian Inter-Tribal meeting at Gallup, N. M., at which the various tribes of the continent in colorful regalia vie for awards for dancing, games and arts and crafts. It is an interesting travelogue, but the subject matter is not unusual. Running time, 9 minutes.

"Whispers"

(M-G-M)

As diversified as any subject in John Nesbitt's "Passing Parade," this concerns gossip and how that method of spreading rumor and personal conviction is utilized, legally and otherwise. It holds the interest throughout. The chief case illustrated has to do with agents employed by owners of slum tenements to condemn in the public's mind the personal character of an honest proponent of a housing development, thus defeating his plan. Running time, 10 minutes.

"Third Dimensional Murder"

(M-G-M)

Here is another of the very amusing third-dimensional subjects known as Metroscopics which M-G-M introduced recently. The illusion of depth is created when patrons look upon the screen through colored lenses. The result is extremely effective. A Pete Smith special, this has a man summoned to a mysterious house, where he meets a witch, the Green Archer, Frankenstein and others. The witch's spider, the archer's arrow and such are thrown at the man and actually appear to leave the screen and land on the audience. Running time, 7 minutes.

"March of Time, No. 7"

(RKO)

Subtitled "Americans All!" the latest March of Time issue emphasizes the fact that the United States is still the great melting pot, and that the cultures of many lands and many peoples helped make this country what it is today.

The reel attempts to show in brief incidents the contributions which each class of immigrants has made and, in the case of some nationalities, the subversive groups among them. Primarily, however, the subject is a plea for tolerance and understanding of the aliens and former aliens in our midst. Running time, 18 mins.

"Quiz Biz"

(M-G-M)

Again Pete Smith offers his screen queries to audiences in an entertaining fashion. The object which the question concerns is first seen, such as an onion being peeled, and then the question is flashed on the screen. Running time, 9 minutes.

Mexico Producing Resumes; 'Strike' Against Union Ends

MEXICO CITY, Feb. 16.—Peace has come to the troubled affairs of the producers and labor unions in Mexico, in an agreement reached between the Mexican Picture Producers Association and Enrique Solis, secretary general of the producers section of the National Cinematographic Workers Union.

The settlement ends the "strike" of producers in protest against what has been called Solis' policy of placing obstacles in the way of production. The producers' "strike" lasted for 70 days. Alfonso Tello, producer whose difficulties with Solis helped to precipitate the fight, has quit production.

Apparently amicable relations have been restored between the two factions. Solis is understood to have agreed to permit the producers to select their own sound engineers and other technicians. Solis also has lifted the strike he called against Jesus Grovas because the latter refused to employ four additional employes at Solis' order. The agreement calls for the organization of the sound engineers in Mexico in two groups.

On another front of the Mexican film scene, an organization calling itself the National Party for Administrative Purification has attacked Vincente Toledano, chief of the Confederation of Mexican Workers, for forcing exhibitors to pay exorbitant salaries. Theatre employes' salaries are compared with those in the army in paid newspaper advertisements, indicating, for example, that a projectionist receives only 60 cents less daily than a division general, highest ranking officer in the Mexican army.

Mexico Assisting Legitimate Theatre

MEXICO CITY, Feb. 16.—Legitimate theatre men here are much encouraged by aid the Municipal Government has given them in the form of rescinding the new theatre taxes of 7 per cent to 14 per cent on gross and allowing the 1940 tax rates to continue, and the creation by the Federal Government of a council to help the theatre by stimulating greater interest in it.

The theatre men had told the city Government that if the higher taxes were put into effect, they would be driven out of business. The Federal Government organized the aid committee when the stage people assured it that something must be done to help the theatre. The council is to work until next Jan. 31 and is preparing a big program to assist the theatre.

'U' Officials Appeal

An appeal was filed Friday from an order requiring the appearance of 10 Universal officials for examination before trial in the suit brought by Samuel I. Posen, against Universal and affiliated companies.

$1.50 Eastman Dividends

ROCHESTER, Feb. 16.—The board of directors of Eastman Kodak has voted dividends of $1.50 per share on common and preferred stock. The quarterly payments will be made April 1.

AMERICA'S

To the millions who loved her as the impish little 'smart girl' ...now add the millions more who will adore her as the screen's most beautiful, most talented actress . . . in a romantic role that makes her sparkle like new wine...!

BOXOFFICES WILL CHEER

the new, charmingly "misbehaving"

DEANNA DURBIN

in

Nice Girl?

with her grandest cast

FRANCHOT TONE

Walter BRENNAN • Robert STACK

Robert BENCHLEY • Helen BRODERICK

Ann Gillis • Anne Gwynne • Elisabeth Risdon • Nana Bryant

Screen Play by Richard Connell and Gladys Lehman
Based on the play "Nice Girl" by Phyllis Duganne

Directed by WILLIAM A. SEITER
A JOE PASTERNAK Production

NATIONAL RELEASE
FEBRUARY 21

A UNIVERSAL PICTURE

Court Sees Schine Trial For 'Little 3'

(*Continued from page* 1)

the Schine case could hardly receive attention until after that time.

Credence that the case will proceed against the "Little 3" was added when U. S. Attorney George L. Grobe on Friday filed additional interrogatories in the district court here, naming, with Schine Chain Theatres, Inc., United Artists Corp., Universal Film Exchanges, Inc., Universal Pictures Co., Inc., and Columbia Pictures Corp.

The interrogatories are identical in each instance. All ask the distributors to give dates of their incorporation, the states in which they are incorporated and the purpose for which the corporations were formed.

The U. S. Attorney also seeks locations of the principal distributor executive and branch offices from which the theatres located in any "Schine towns" are served. The distributors are also asked to name the places where feature prints are developed, their means of transportation to Schine houses and whether or not such prints move across state lines in the course of their transportation.

The Government also asks the distributors to name their managers, their duties and authorities, and to list their film salesmen and their duties.

An additional 100 or more questions are asked under the heading of "distribution activities."

Schaefer Declares RKO Weathered Severe Crisis Without Borrowing

Hollywood, Feb. 16.—Here working on plans for the RKO 1941-'42 program, George J. Schaefer, president, said on Friday the company had weathered one of the most severe crises in the history of the industry without borrowing from the banks.

"This has been effected," he said, "despite the loss of certain foreign markets, reduction in foreign currencies and serious restrictions on the flow of foreign funds to New York." Optimistic over the coming year, he cited "Kitty Foyle" and "Mr. and Mrs. Smith" as among RKO's biggest grossers.

Ohio Ticket Levy Cut Is Proposed

COLUMBUS, Feb. 16.—Among 389 new proposals introduced in the Ohio legislature in a single day last week, in order to beat the deadline for filing, one seeks to reduce the retail sales tax from three to two percent, and another seeks a like reduction in the admission tax.

Earlier in the session, a bill was introduced to eliminate newsreels from censorship, and one to bring theatres showing televised pictures under the jurisdiction of the Department of Workshops and Factories. Possession or showing of obscene motion pictures would be a felony under another bill introduced.

A ★ M ★ P ★ A

cordially invites all in the motion picture industry
to attend a luncheon at which our speaker will be

HERMAN
ROBBINS

President, National Screen Service
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ROASTMASTER: "RED" KANN
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Tickets $1.25 Including Tip—Ladies Welcome

Don't forget to save Friday night, April 4
AMPA SILVER JUBILEE—BENEFIT AMPA RELIEF FUND!

Charge Nazis Are Seeking Argentine Film Control

(*Continued from page* 1)

film company has made a propaganda film for the German Condor air line.

Films depicting activities in the Germany of today had no satisfactory exhibition outlet until recently. Now there is at least one house available and a distribution company in the offing. When the Cineac opened, Nicholas Di Fiore, the owner, who is a naturalized citizen of Italian extraction, announced exclusive showings of a Ufa newsreel, obtained from the German Embassy here.

Nazi organizations in the guise of charitable or cultural societies organize private showings on Sunday mornings of German features and short subjects. Well known social and political figures are invited, as well as Germans with relatives in Germany. The subjects for the most part are propaganda films, which are claimed to have entered the country without duty through diplomatic channels.

Recently it was reported that Hans Biester, representing Ufa and Tobis, leading German companies, is due here to direct distribution of German features, with power to coordinate all activities in that direction.

'Street' Is $15,000 Winner in Baltimore

BALTIMORE, Feb. 16.—In a week of generally good grosses, "Back Street" at Keith's took $15,000, and the third week of "Gone With the Wind" at the Century brought $13,000.

Estimated takings for the week ending Feb. 13:

"Gone With the Wind" (M-G-M)
CENTURY—(3,000) (40c-55c) 7 days. 3rd week. Gross: $13,000. (Average $10,000)
"Back Street" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $15,000. (Average $9,000)
"Maisie Was A Lady" (M-G-M)
NEW—(1,581) (15c-28c-35c-55c) 7 days. 2nd week. Gross: $6,000. (Average $7,000)
"High Sierra" (W.B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $14,000. (Average $12,000)
"Convoy" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. On stage, revue titled "Funzafire" featuring Benny Meroff and Orchestra. Gross: $13,500. (Average $14,000)

Bibermans Adopt Child

MADISON, Wis., Feb. 16. — Prof. Hans T. Sondergaard of this city has announced the adoption of a six-week-old daughter by his actress daughter, Gale Sondergaard, and her husband, Albert Biberman of Hollywood. Miss Sondergaard and her husband visited Madison during January and selected the child from a midwest foundling home.

Northwest Allied Pressing Bill to Ban Blocks of 5

(*Continued from page* 1)

hearted support and endorsement of every independent exhibitor in the Northwest, whether affiliated with Allied or not."

Especially careful study, it w[illegible] pointed out, was made of the co[illegible]merce and due process clauses of the state constitution to make sure the bill would not strike a snag on these provisions.

May Act Elsewhere

Harold Field is head of the legislative committee. His group will proproceed at once, N.W. Allied reported, preparing the actual bill and lining up its actual presentation in the legislature. A companion bill is expected to be pressed through other nearby state legislatures.

Strom's announcement was made after the return of E. L. Peaslee, Northwest Allied president, from the national Allied meeting in Washington and a subsequent tour of Eastern points to sound out views of independents.

Boston Complaint Filed by Paulston

(*Continued from page* 1)

derveer, owner of the State Theatre, Morris, Ill., who charges that Loew's arbitrarily refuses to license second run films to him. The complaint also named the Morris and Times theatres in Morris, which are units of the Anderson circuit. A hearing is expected to be held before an arbitrator in Chicago within 30 days.

Detroit Exhibitors Confer with A.A.A.

DETROIT, Feb. 16.—Some problems facing exhibitors in this area have been discussed by exhibitor representatives with the local office of the American Arbitration Association. The theatre men were given an explanation of their rights under the Federal consent decree. No arbitration complaints have been filed here as yet, however, and the exhibitor representatives did not indicate at the conference whether any would be brought.

'Story' at $5,000 Leads New Haven

NEW HAVEN, Feb. 16.—The second week of "Philadelphia Story" and "Saint in Palm Springs" at the College drew $5,000. "Back Street" and "The Invisible Woman" took $6,800 at the Roger Sherman, up by $1,800.

Estimated takings for the week ending Feb. 13:

"Philadelphia Story" (M-G-M)
"Saint in Palm Springs" (RKO)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $2,700)
"This Thing Called Love" (Col.)
"Nobody's Children" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $6,500. (Average, $8,000)
"You're the One" (Para.)
"San Francisco Docks" (Univ.)
PARAMOUNT—(2,348) (39-50c) 7 days. Gross: $5,000. (Average, $4,000)
"Back Street" (Univ.)
"The Invisible Woman" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,800. (Average, $5,000)

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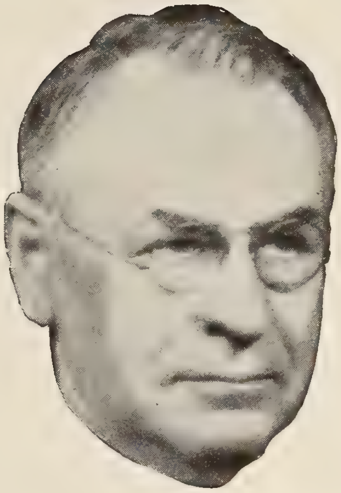

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Lindy on Fred Allen Program Wednesday

Lindy, the famous restaurant man, whose Broadway restaurants are known around the world, will be a guest on Fred Allen's radio program on CBS at 9 P. M. Wednesday. One of the most colorful characters on Broadway, Lindy is expected to tell about some of the personalities who frequent his establishments.

IRNA Chief Denies Wheeler's Charges

PHILADELPHIA, Feb. 16.—Samuel Rosenbaum, chairman of the Independent Radio Network Affiliates and president of WFIL here, over the weekend issued a statement denying allegations of Senator Burton K. Wheeler that news programs and commentators on the radio are biased in favor of Britain, in connection with the lease-lend bill.

Saying that the Senator was "not correctly informed," Rosenbaum declared that network affiliated stations had no editorial policy and did not color the news, but presented both sides of every controversial issue.

"It may be that there is an overwhelming current of public opinion running one way or another," he said, "but we did not create it. Each listener draws his own conclusion. It would be a calamity if it were otherwise. We want to preserve freedom in radio from unwarranted censorship or coercion."

Canadian Royalties Decision Due Soon

OTTAWA, Feb. 16.—Problems affecting Canadian broadcasting royalties, arising from the attempted entry of Broadcast Music of Canada, Inc., in the field controlled exclusively since 1925 by the Canadian Performing Rights Society, rest today with the three-member Copyright Appeals Board. A decision is expected in two or three weeks.

The board, headed bv Justice A. K. MacLean, adjourned Thursday night to consider applications by the 15-year-old societv for an increase in royalty rates to 14 cents a set and by BMI for a 50 per cent share of the present 8-cent rate, which was established in 1935.

Bill Asks Mexican Stations for Hour

MEXICO CITY, Feb. 16.—A bill requiring all radio stations in Mexico to donate one hour daily to the Government for the broadcasting of official news and other Government information and popular Mexican music and songs, is to be considered during the extraordinary session of the legislature which has just opened.

Radio men are opposing this bill, saying that their income is not very great and their taxes are high.

Jean Parker Married

SAN DIEGO, Cal., Feb. 16.—Jean Parker was married here on Friday to H. Dawson Sanders, a radio announcer.

Off the Antenna

INCREASED rural coverage by the Canadian Broadcasting Corp. is expected as the result of the opening of a new short wave station at Vercheres, Que., recently. At present the station, CBFW, is operating with a vertical, non-directional antenna but after the tests are completed a directional antenna is expected to result in even greater coverage in sparsely settled areas.

• • •

Purely Personal: *Maj. Leonard Nason, WOR military analyst, has been called to active service at Fort Benning, Ga. . . . Jeanette MacDonald will be co-starred with Gene Raymond on the "Campbell Playhouse" over CBS Friday at 9:30 P.M. . . . WHN will start a transcribed series, "UP News Is On the Air," tonight at 8, and it will be heard Mondays weekly thereafter. Rush Hughes will handle the programs. . . . Edward J. Content, assistant chief engineer at WOR, will preside at the FM roundtable at the Broadcast Engineering Conference, Columbus, O., Thursday and Friday. . . . Dick Powell plans to join Joan Blondell on the "I Want a Divorce" series over Mutual but no date has been set.*

• • •

With its television program schedule reduced to a bare minimum, NBC's schedule for this week includes only the wrestling bouts from Jamaica Arena Friday night and the National A.A.U. track championships Saturday night. Five hours of test patterns will be telecast on those days.

• • •

Around the Country: *Backstage broadcasts from the Stanley Theatre, Pittsburgh, have been started over WWSW Fridays. The station also broadcasts a show from the Enright Theatre on Saturdays. Both houses are Warner theatres. . . . WITH, Baltimore, which is scheduled to start operations March 1, plans to operate on a 24-hour day. . . . Madelinn Chace, former free lance publicity writer in Chicago, has joined WSB, Atlanta, as assistant publicity director. . . . WFIL, Philadelphia, will have its FM transmitter ready to go on the air by May 1, according to Roger W. Clipp, general manager.*

Theatre Changes

Open Columbus House

COLUMBUS, O., Feb. 16.—The new Beechwold, built by the late Clarence A. MacDonald, as one of the suburban units in his local circuit, has opened. The house recently was taken over by Louis Wiethe, Cincinnati, who also has acquired two other MacDonald houses.

Mallers Acquires Theatre

FORT WAYNE, Ind., Feb. 16.—Peter Mallers, local exhibitor, has assumed operation of the Riley here, acquiring it from the Quimby circuit.

Take Pittsburgh House

PITTSBURG, Feb. 16. — Warners have taken over operation of the New Oakland Theatre from Lou Gilbert, who is expected to go to Florida, and placed Al Skigan in charge. Warners recently also took over the Princess in Donora.

Deals Closed by Altec

The following theatres have contracted for Altec service: Lake, Buffalo; Robin, Robbinsdale; Granite, Granite Falls; Falls and Camden, Minneapolis, all in Minnesota; Star, Stanley, N. D.; College, Brookings, S. D., and the Plaza, Potosi, Md.

Tibbetts Boston Assistant

BOSTON, Feb. 16.—James Tibbetts, treasurer of Loew's Orpheum here, has been promoted to assistant manager of the State, replacing Edmund Howard, resigned.

Wiethe Acquires New House

COLUMBUS, O., Feb. 16. — Louis Wiethe, who recently took over the Beechwold and Cleves, local neighborhood units in the circuit operated by the late Clarence A. MacDonald, now has acquired the Ada, at Ada, O., also of the MacDonald group. Wiethe operates the Bond, Roselawn and Westwood, Cincinnati suburbans, and the Kentucky, at Latonia, Ky.

Reopen House in Cleveland

CLEVELAND, Feb. 16. — Warners' Lake Theatre, which closed here last Spring after a brief time as Cleveland's only first run double feature house, has reopened with a policy of foreign pictures. The house has been subleased from Warners by Branrep, Inc., of New York. Louis C. Levine is manager.

Mass. Theatre Nearly Ready

UXBRIDGE, Mass., Feb. 16.—Construction of the Cameo Theatre, seating 550, is nearing completion, and the opening is expected next month. M. Nathan Wisner, manager and owner of the Bijou Theater, is in charge.

Quits Minneapolis House

MINNEAPOLIS, Feb. 16.—Livingston Lanning, brought from Milwaukee to become manager of the Minnesota here, has resigned. The house is in temporary charge of Earl Tetting, press and advertising manager.

Club to Hear Lecture

Members of the Warner Club will be guests of the Paramount Educational Committee at a lecture at the Paramount home office tomorrow at which Dr. Josef Ranald will discuss his interview with Adolf Hitler.

Shea to General Motors

Joseph Shea has joined the public relations department of the motion picture division of General Motors and will spend several weeks in their plant cities establishing exhibitor contacts for defense film showings.

Mexico Composers Protest Low Royalty

Mexico City, Feb. 16.—Complaints have been made by the Mexican Composers Union that certain radio stations are paying its members a paltry sum as royalties for even some of their best and most popular songs. The union says that some stations pay the composers only 45 centavos per song. The union charges that the big stations have set this low rate and that they are so strong that they can do as they please.

Coast FM Station Sought by Metro

WASHINGTON, Feb. 16.—M-G-M has filed an application with the FCC for a construction permit for an FM station in Los Angeles. The frequency requested is the 45,500 k.c. channel for a transmitter to cover 7,060 square miles with a population of 2,467,178.

Herbert L. Pettey, WHN director, who prepared the Los Angeles application, explained over the weekend that M-G-M had no specific plans in connection with the station. Pettey declared that the station would be used, in part, to further M-G-M interests on the Coast but that no direct tie with the studio there is planned.

M-G-M, which operates WHN, already had received a construction permit for a New York FM station.

Ask Approval for New Local Station

WASHINGTON, Feb. 16. — Yankee Broadcasting Co., Inc., has submitted to the Federal Communications Commission an application for a new 620-kilocycle, 1,000-watt station at New York, and Mosby's, Inc., has asked for a 1,200-kilocycle, 250-watt station at Anaconda, Mont.

Applications coming in to the commission also included the requests of Stations KINY, Juneau, Alaska, for increase of power from 1,000 to 5,000 watts, and WSYB, Rutland, Vt., for change of frequency from 1,500 to 1,350 kilocycles and increase of power from 250 to 1,000 watts.

Kibbee Addresses Solons

MONTPELIER, VT., Feb. 16. — Guy Kibbee addressed the state senate and house here on Friday, following the opening of "Scattergood Baines," in which he appears, at the Capital here Thursday night. He was introduced by Gov. William H. Wills.

Welles Rehearses Play

Orson Welles has begun rehearsals for his next Broadway play, "Native Son," based on the book by Paul Green and Richard Wright. It will open within four weeks.

Fay Courtney Dead

Mrs. Fay Courtney MacNicol died Friday at her home here. With her sister, Florence, she formerly was in vaudeville in an act known as the "Courtney Sisters."

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London Office Of M.P.P.D.A. Is Destroyed

All Records Are Lost in Fire Sunday Night

LONDON, Feb. 17.—The office and all records of Fayette W. Allport, representative in London for the Motion Picture Producers and Distributors of America, were completely destroyed last night in a fire which swept the building housing the offices.

Meanwhile the committee representing the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) dealing with exhibitor problems due to the war, has agreed on a procedure for the relief of exhibitors in bombed areas.

The K.R.S. has promised sympathetic consideration of all cases, but

(Continued on page 7)

Seven Big Features Are Set by 20th-Fox

Twentieth Century-Fox plans to release seven important features between the beginning of March and Spring, starting with "Tobacco Road," to be released on March 7, followed by "The Outlaw," Howard Hughes film, on March 21.

Other major films to be released later include: "That Night in Rio,"

(Continued on page 7)

Broadway Theatres Have Good Weekend

Business was good at most Broadway first runs over the weekend, and at the Rivoli, Music Hall and Roxy was well above average.

At the Music Hall, "This Thing Called Love" with a stage show grossed an estimated $55,000 Thursday through Sunday. "Back Street"

(Continued on page 7)

Reviewed Today

Hollywood reviews of "Adam Had Four Sons" and "Golden Hoofs" and a New York review of "The Devil Commands" will be found on Page 3.

Wheeler Charge Denied by F. C. C.

Washington, Feb. 17.—The belief of Senator Burton K. Wheeler that radio commentators have engaged in extensive propaganda for the aid-Britain bill does not appear to be shared by the general public, it was indicated today at the Federal Communications Commission.

Officials said there has been no flood of protests against the news broadcasts, which Senator Wheeler is investigating and on which, last week, he asked for information from the networks.

Ascap Decision on Decree Due Today

Ascap's board of directors is scheduled to decide on acceptance or rejection of a Federal consent decree at a meeting to be held here today, culminating several weeks' negotiations with the Department of Justice.

[There were reports last night that the Ascap board had agreed on a decree, with a compromise providing that individual song writers may make separate deals for their music with the broadcasters and other users, but that Ascap will continue to collect the fees. Ascap officials could not be reached for comment.]

The Ascap board met yesterday and heard a report of the final negotiations

(Continued on page 6)

Schaefer Takes Complete Charge Of RKO Studio

HOLLYWOOD, Feb. 17.—George J. Schaefer, president of RKO, tonight announced that he will take complete charge of RKO studio operations and that he will remain here indefinitely. He also announced that J. J. Nolan will be his assistant at the studio.

RKO has set a tentative schedule of 35 top bracket features for its 1941-'42 program, Schaefer disclosed earlier, rather than the 40 pictures which he said last December were contemplated for next season.

In addition, RKO will have a program of westerns and short subjects, Schaefer said.

Ned E. Depinet, vice-president in charge of distribution, arrived today at the studio for conferences with Schaefer and production executives on the 1941-'42 program.

Col. Program to Be Announced April 1

CHICAGO, Feb. 17.—Columbia will have its 1941-'42 product program ready for announcement to the trade about April 1, Abe Montague, general sales manager of the company, said here today while passing through en route to New York from Hollywood. Leo Jaffe, assistant to Abe Schneider, Columbia treasurer, accompanied Montague.

Printing Trades Plan to Ask For Radio Ownership Limit

MIAMI, Feb. 17.—Following an attack on radio here today by the International Printing Trades Association, it was disclosed that a special committee of the association will meet Monday in Washington to decide whether to ask the FCC for station ownership limitation.

The association today discussed a proposal that the ownership restrictions imposed by the Government on television be extended to standard and FM stations. Ownership of television outlets is now limited to three in any group.

In addition, the committee will discuss a suggestion that it ask the FCC to limit station ownership to persons living in the vicinity of the station concerned. It would base that request upon the claim that "it would best serve the public interests."

Earlier today, John B. Haggerty, chairman of the association's board of governors, announced a plan to urge Congress to impose additional taxes on broadcasting companies and to restrict their advertising activities. Haggerty, A.F.L. leader, said printing trades in this country have lost 25,000 jobs because of diversion of advertising from printed media to radio.

Tonight I.P.T.A. officials indicated

(Continued on page 6)

Contracts of 'Little 3' Are Called Illegal

No Monopoly Charged in Amended U.S. Complaint

The Government does not charge the "Little Three" with monopoly in its amended complaint in the New York anti-trust suit but contends that their exhibition contracts are illegal and constitute restraint of trade in violation of the anti-trust laws. George L. Wright, Assistant U. S. Attorney General, so told the Federal district court here yesterday in opposing the motions of the "Little Three" for dismissal of the amended complaint.

Federal Judge Henry W. Goddard denied the motions to dismiss following the hearing, asserting: "I am convinced there are issues here for trial." The court gave the three defendants, Columbia, United Artists and Universal, to March 10 to file answers to the Government's complaint.

A similar motion to dismiss the amended complaint against the three companies in the Government's action against Crescent Amusement Co. will be argued in Federal court at

(Continued on page 7)

Freeman Reelected Head of Producers

HOLLYWOOD, Feb. 17.—Y. Frank Freeman was reelected president of the Association of Motion Picture Producers for the second year at a directors' meeting today, held on the 17th anniversary of the founding of the organization.

Also reelected were E. J. Mannix, first vice-president; Cliff Work, sec-

(Continued on page 7)

Army Officials See Paramount Picture

WASHINGTON, Feb. 17.—War Department offcials tonight attended a screening at the National Archives building here of Paramount's "I Wanted Wings," in the making of which the Government cooperated. Robert M. Gillham, Paramount advertising and publicity director, and other home office representatives came here for the screening.

Coast Gambol to Raffle F. D. R.'s Hat

Hollywood, Feb. 17.—President Roosevelt's famous hat which he wore during three Presidental campaigns will be raffled, with proceeds going to the Motion Picture Relief Fund, at the second annual "Gambol of Stars" to be held March 17 at the Ambassador Hotel here by the Screen Actors Guild and the American Federation of Radio Actors. The committee includes Edward Arnold, chairman; Ken Carpenter, I. B. Kornblum and Kenneth Thomson.

Theatre Committee Is Named for Drive

Joseph R. Vogel, division chairman of the Amusement Industry Division of the Greek War Relief Association, has announced his committee for the New York territory. His district exhibitor cochairmen are Buffalo, Vincent McFaul; Albany, Moe Silver; New Jersey, Don Jacocks; and New York City and Brooklyn, Harry Brandt, John J. O'Connor and A. A. Hovell.

The other members of his committee are Sam Rinzler, Joseph Seider, Si Fabian, Irwin Wheeler, Robert Weitman, Sam Strausberg, Fred Schwartz, Laurence Bolognino, Gus Eyssell and Leo Brecher. Oscar Doob has been named chairman of the publicity committee, and Marvin Schenck, chairman of the entertainment.

The first meeting of the committee will be held today at the Hotel Astor and plans will be made to enroll every theatre in the territory in the drive.

Goodman and Reiner In Paramount Posts

Monroe R. Goodman of the Paramount distribution department yesterday was appointed assistant to Oscar A. Morgan, Paramount short subjects and newsreel sales manager, and Manny Reiner, publicist, was named to head the separate publicity and advertising department which Paramount is establishing for shorts and newsreels under consent decree operations.

Goodman was associated with Paramount for 11 years in the home office and in recent years was an assistant to Morgan, until recently the company's Southern division manager. Reiner has been associated with Monogram, M-G-M and Warners advertising and publicity departments and at the time of his present appointment was publicity manager for the Quiz Kids radio program.

Rhoden and Cole in K. C. Army Aid Group

Kansas City, Feb. 17.—Elmer C. Rhoden, head of Fox Midwest here, and Arthur Cole, office manager at the local Paramount exchange, represent exhibitors and distributors, respectively, on a local committee designed to provide service men with information on places of entertainment.

Cincinnati Club Party

Cincinnati, Feb. 17.—The wives of local Variety Club members will hold a party on Saturday night.

Personal Mention

NICHOLAS M. SCHENCK is scheduled to arrive from the Coast by train today following a week of conferences at the M-G-M studio.

•

Louis Brandt. Bernard Brandt, and their mother, Mrs. Gusti Brandt, returned yesterday from Florida.

•

Albert Lewin will lecture on films in Washington tomorrow before students of Catholic University and Trinity, Dumbarton and Immaculate colleges.

•

Louis J. Alleman II, of the RKO home office publicity department, has resigned to volunteer in the National Guard. He is now stationed at Fort Deven, Mass.

•

George Kurlansik, owner of the Towne and the Transit, Allentown, Pa., is back from Florida.

•

Anthony Archer, president of Civic Theatres, Denver, is in Florida.

•

Alex Bookspan of Fishman Theatres, New Haven, is the father of an eight-pound son, named Richard.

•

Maurice Rosen, son of Samuel Rosen, manager of the Monogram branch in Philadelphia, left yesterday for service with the National Guard.

•

Martin Goldenberg, manager of Warner's State, Philadelphia, and Mrs. Goldenberg are the parents of a daughter.

•

Franklin Maury, assistant manager at the Embassy, Reading, Pa., and Otona Elizabeth Siedecki, formerly of the theatre's service staff, were married last week.

HAL HORNE left yesterday for Detroit and Chicago.

•

Arthur Kelly, Harry Gold, Monroe Greenthal, Hank Linet, Arthur Mayer, Sam Spring and I. E. Lopert lunching at the Tavern yesterday.

•

Arthur Gottlieb, George Burns, Martin Moskowitz and Joseph Pincus having lunch at Lindy's (51st St.) yesterday.

•

Howard Dietz, William F. Rodgers, Jack McKeowan, Charles E. McCarthy, Sam Shain, Rudy Montgelas, Morris Kinzler, Edward Raferty, George Dembow, Russell Holman, J. J. Unger, Charles M. Reagan, Maurice Bergman, Ralph Austrian, Edmund C. Grainger, Arthur Hopkins, Marcus Heiman and Toby Gruen at Nick's Hunting Room in the Astor yesterday for lunch.

•

Robert Weitman, John Barry, Arthur Loew, Dennis King, Frank Phelps, John Golden, Harry Oshrin, George Hale, Russel Crouse, William Melniker, Clayton Bond and Vernon Duke lunching yesterday at Sardi's.

•

Marcel Rebiere, European staff cameraman for *March of Time*, and Maurice Lancaster, in charge of the company's British production units, have arrived here from Europe.

•

Athur Knorr of the stage production department at the Roxy Theatre has two water colors in the current exhibition of the American Water Color Society.

20th-Fox Promotion Bureau Organized

A divisional promotion bureau has been established by Charles E. McCarthy, advertising and publicity director of 20th Century-Fox, to handle "localized exploitation." The bureau will operate as a unit of the home office advertising and publicity department with representatives in the Western, Central and Eastern districts. As recently announced, Gabe S. Yorke has been assigned to the Western post while the other representatives have not yet been named. The bureau will function under Rodney Bush, exploitation manager.

Honor Gus Schaefer

Gus Schaefer, Northeastern district manager for RKO, is being honored by the branches under his jurisdiction during the current week, as part of the Ned Depinet sales drive. The branches are Albany, Boston, Buffalo and New Haven.

Sherwood Due in N. Y.

Hollywood, Feb. 17.—Robert C. Sherwood, who produced "Adam Had Four Sons" for Columbia release as his first production venture, left by plane today for New York to discuss plans for a second picture.

Hunter President of Toronto Film Board

Toronto, Feb. 17.—J. L. Hunter, manager of the Toronto Paramount exchange, has been named president of the Toronto Film Board of Trade for the current year, the vice-president being Ted Gould, branch manager of Regal Films, Ltd. Frank Fisher of Empire-Universal, H. J. Bailey of 20th Century-Fox and Mark Plottel, branch manager of RKO, are members of the committee with E. H. Wells continuing as secretary.

Savini Is Eastern Agent for Hughes

Hollywood, Feb. 17.—Robert M. Savini, independent distributor, has been named New York representative for Howard Hughes, whose new production, "The Outlaw," will be sold by 20th Century-Fox as a special beginning next month. Savini in recent years, has headed Promotional Pictures, Inc., and Astor Pictures, and was sales manager for Atlantic Pictures Corp., all independent firms.

Bookers Party May 18

The annual party of the Motion Picture Bookers Club has been set for May 18 at the Astor Roof. Dan Ponticelle of Warners is in charge of arrangements.

Theatres Face Tax Boost in New York

Theatre owners are faced with a sharp increase in the tax rate in New York City with real estate experts predicting that the city's real estate tax would rise to a record high of $2.93 per $100 for the 1941-1942 fiscal year. The increase is necessitated in part by the fact that the assessments on which the tax is collected are lower than they have been since 1928 and further cuts are in prospect, according to real estate men.

Exhibitors Form N. Y. Allied Organization

Albany, Feb. 17.—An organization meeting of 25 exhibitors at the DeWitt Clinton Hotel here today initiated a temporary group which voted to affiliate with National Allied. Incorporators of the New York state unit of National Allied, Inc., turned its papers over to the group.

A motion was adopted authorizing the organizing committee to perfect the organizaiton, and it was voted to have a state convention no later than Oct. 15.

The organizing committee will have six members. Four named today were Leonard Rosenthal, Troy; Max Cohen, Lido Theatre, Brooklyn; Abe Stone, Eagle Theatre, Albany, and Robert Goldblatt, Music Hall, Tarrytown. Two others will be chosen at a Buffalo meeting next month.

Sidney Samuelson, chairman of the National Allied Information Bureau, spoke at today's meeting. Rosenthal was temporary chairman, and John Gardner of Schenectady acted as secretary.

Service Is Held for John Hicks' Mother

Mrs. Fred Phipps, mother of John W. Hicks, Paramount vice-president and foreign manager, who died late last week at her home in Sedalia, Mo., was buried there yesterday. Hicks, who went directly to Sedalia for the services following his arrival in New York from Panama on Saturday, will return to New York tomorrow.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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Browne to Detroit On Janitor Problem

MIAMI, Feb. 17.—George Browne, president of the I.A.T.S.E., will go to Detroit in an attempt to adjust the controversy there between United Detroit Theatres and the janitors' union, in which the theatres have been picketed since last New Year's eve.

Browne, a committee from Detroit, and William L. McFetridge, head of the Building Service Union, discussed the matter today before the A.F.L. executive council in session here. William Green, A.F.L. president, directed Browne and McFetridge to "get together" on the problem, and Browne indicated he would go directly to Detroit as soon as the council ends its meeting late this week.

Resume Hearings On S. P. G. Petition

After a two-week recess, hearings were resumed yesterday before Daniel Baker, National Labor Relations Board trial examiner, on the petition of the Screen Publicists Guild for designation as collective bargaining agency in the publicity and advertising departments of six major companies. The case against Warners and Loew's was postponed indefinitely at the outset of the hearings.

The testimony yesterday continued to concern itself with the type of employes to be included in the various bargaining units. Hearings will continue today.

Film Appropriations In Canadian Budget

OTTAWA, Feb. 17.—Items of special interest to the Canadian motion picture industry were brought down in the estimates in the House of Commons today.

They included grants to the National Film Board of $39,100 and the Motion Picture Bureau of $832,635. The Film Board appropriation was decreased $20,900 compared to last year, while the bureau grant was increased by $18,471.

3 Companies Formed

ALBANY, Feb. 17.—Three motion picture concerns chartered to do business in New York State are: Maple Theatre, Inc., Livingston, by Samuel J. Cohen, Carl Bogner and Joseph L. Kutcher; Arvid Theatre Corp., Village of Pelham, by Lawrence Zourek, Hilda Bloom and Helen Strasser; Forrester Film Corp., New York, by Jack Forrester, T. Newman Lawler and M. C. Monahan.

Guy Kibbee on Tour

Guy Kibbee, who made a personal appearance at Montpelier, Vt., last Thursday in connection with the opening of his starring RKO film, "Scattergood Baines," is making a personal appearance tour through New England, accompanied by Terry Turner, head of the RKO field staff.

Schenck Suit to March 3

Acting U. S. Attorney Matthias F. Correa yesterday obtained a postponment of the Government's suit against Joseph M. Schenck and Joseph H. Moskowitz until March 3.

Feature Reviews

"Adam Had Four Sons"

(Columbia)

Hollywood, Feb. 17

PRESENTING Ingrid Bergman, Warner Baxter and Susan Hayward in principal roles, this production by Robert Sherwood (not the Robert E. Sherwood of "Abe Lincoln in Illinois") of "Legacy," a novel by Charles Bonner, tells a story of a man and his four sons, their governess, and a loose woman who complicates their lives by marrying one of the sons, seducing another and attempting to entice still another. The governess shields the father from knowledge of all this, in the interests of the family, by pretending to be the sinner in the case. A happy ending is brought about at the end by the erring son's confession of the facts to his father, following his brother's attempted suicide, the father proposing marriage to the self-sacrificing governess in the final scenes.

Seen in support of the principals are Fay Wray, as the mother who dies early in the picture. Richard Denning, Johnny Downs, Robert Shaw and Charles Lind as the boys grown up, Billy Bay, Steven Muller, Wallace Chadwell and Bobby Walberg as the boys in childhood. Helen Westley as an aging woman undeceived by the young woman who brings grief to the household gives an especially notable performance.

The picture, directed by Gregory Ratoff, has timeliness in that it deals with young men joining the army, shipping for overseas, returning to take up their lives as citizens, and the effect of all this on the family unit. It has appeal to womanhood in its depictment of the sacrifice and devotion of the governess to the boys in her charge. It is not, however, a picture for children.

Running time, 80 minutes. "A."* ROSCOE WILLIAMS

"A" denotes adult classification.

"Golden Hoofs"

(20th Century-Fox)

Hollywood, Feb. 17

FIRST film in ready memory to center its story around harness-racing, which it treats as both sport and tradition, this comedy-drama starring Jane Withers with Charles (Buddy) Rogers opposite is fresh in subject matter, wholesome as a whole and in detail and altogether entertaining. George Irving, Katharine Aldridge, Buddy Pepper and Phillip Hurlick, a pickaninny who steals the show repeatedly, supply the support.

Miss Withers is seen as an adolescent trainer of trotting horses whose happiness in the calling is wrecked by Rogers, a wealthy sportsman, who purchases the farm and stables which have produced trotting champions for a century, intending to breed race-horses instead. Gradually she interests him in trotters, developments creating a climax in which he competes with her grandfather in the annual classic, both men driving horses she has trained. The unexpected outcome of the race results in a happy ending.

Although Miss Withers is presented as enamoured of Rogers for a part of the picture, this romance is resolved well before the ending. There is no villainy in the picture but there is much of human interest and an adequate amount of humor.

Running time, 68 minutes. "G."* ROSCOE WILLIAMS

"The Devil Commands"

(Columbia)

A MELODRAMA about a scientist attempting to communicate with the dead, this is neatly timed, since the scientist is Boris Karloff, about whom many kind words have been said of late by critics and public for his shenanigans in one of Broadway's most successful comedies, "Arsenic and Old Lace."

There is nothing unusual about the film itself, however. The familiar props invariably found in pictures which concern themselves with life beyond, such as grotesque electrical contraptions, are effectively on hand and the sound track carries appropriately weird music.

Karloff is at first a reputable scientist but upon his wife's death he and a seance practitioner seek to develop a method by which he might bring her back now and then for a chat. His experiments, which incidentally, require a group of corpses quietly seated around a table, cost the life of two assistants and finally his own. Amanda Duff, Richard Fisk and Ann Revere appear in supporting roles.

Running time, 65 minutes. "G."*

"G" denotes general classification.

Nine New Films Start; 42 Are Now in Work

HOLLYWOOD, Feb. 17.—Forty-two pictures were before the cameras this week, as nine started and five finished. Fifteen were being prepared, and 67 being edited.

The tally by studio:

Columbia

Finished: "They Dare Not Love."
In Work: "A Girl's Best Friend Is Wall Street," "Her First Beau," "Under Age," "North from the Lone Star."
Started: "Senate Page Boys."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde."
Started: "The Uniform."

Monogram

In Work: "Air Devils."

Producers Releasing

Started: "Federal Fugitives."

Paramount

In Work: "One Night in Lisbon," "Caught in the Draft," "Kiss the Boys Goodbye," "Power Dive," "Skylark."

RKO

Finished: "The Devil and Miss Jones" "Robbers of the Range."
In Work: "Sunny," "Repent at Leisure."
Started: "Before the Fact."

Republic

In Work: "Sis Hopkins," "Mr. District Attorney."
Started: "In Old Cheyenne."

20th Century-Fox

Finished: "The Outlaw."
In Work: "Blood and Sand," "The Cowboy and the Blonde," "The Great American Broadcast."

Universal

Finished: "The Man Who Lost Himself."
In Work: "The Flame of New Orleans," "The Lady from Cheyenne," "Model Wife," "Oh, Charlie," "Unfinished Business," "Double Date."

Warners

In Work: "Miss Wheelwright Discovers America," "The Bride Came C.O.D.," "Affectionately Yours," "Sergeant York."
Started: "Three Sons O'Guns," "Highway West," "The Nurse's Secret," "The Gentle People."

House Policy Changed

ST. LOUIS, Feb. 17.—The St. Louis Theatre, Fanchon and Marco first run here, has modified its policy and is now changing its bill twice a week. Two first run pictures are shown Sunday through Wednesday and two revivals Thursday, Friday and Saturday. Admissions are 25 and 35 cents.

Louis Stern Dies

HOLLYWOOD, Feb. 17.—Louis Stern, veteran character actor, is dead here after a long illness at the age of 81. He appeared in silent and talking films over a period of 23 years. His widow survives.

They SING... They DANC
THE BUMSTEADS GO MUSICAL!
"THESE LATINS DO THINGS TO ME!"
"MY GIRL FRIEND'S A HOT NUMBER!"

They MAKE MUSIC!
"WATCH BLONDIE SWING IT!"

The greatest and grandest of all the "Blondies"... as the whole beloved family go on a rhythm-roaring cruise!

BLONDIE GOES LATIN

"I SHAKE A MEAN PAW, MYSELF!"

- ★ 2 FAMOUS SINGING STARS!
- ★ 5 SWELL NEW SONG HITS!
- ★ A HOT BAND!
- ★ THRILLING DANCE NUMBERS!

Based upon the comic strip created by CHIC YOUNG

with THE BUMSTEADS

PENNY SINGLETON *as Blondie* · **ARTHUR LAKE** *as Dagwood* · **LARRY SIMMS** *as Baby Dumpling*

RUTH TERRY • TITO GUIZAR, *Radio's Famous Mexican Singing Star*

Screen play by Richard Flournoy, Karen De Wolf • Directed by FRANK R. STRAYER

Produced by Robert Sparks • A COLUMBIA PICTURE

FCC Will Get Chain Report Draft Shortly

WASHINGTON, Feb. 17.—Draft of the network monopoly report is expected to come before members of the Federal Communications Commission for consideration this week or next, it was announced today by Chairman James L. Fly.

The report has been discussed by the FCC with members of its legal staff, which has prepared a report on which action is expected to be taken before the end of the month, the chairman said.

Fly would give no indication of the position which would be taken by the commission on the question of chain broadcasting, but said the report would be "comprehensive."

The monopoly report long has been a political issue here and during the hearings on the reappointment of Thad H. Brown as commissioner last year they became a major item. The subcommittee which drew the monopoly report submitted its report finally as a result of the Senate committee's criticism.

One of the principal contentions of CBS and NBC is that the FCC has no power to regulate or control networks as such. Mutual, on the other hand, has submitted briefs contending that the FCC has such power.

Newsreels to Cover F.D.R. Academy Talk

HOLLYWOOD, Feb. 17.—All five newsreels will cover the broadcast to the Academy Awards banquet of President Roosevelt from the White House on Feb. 27. The reels will cover the event at the White House and at the Biltmore Hotel here.

Bob Hope will be master of ceremonies at the banquet, and Alfred Lunt and Lynne Fontanne, nominees for the acting awards in 1931-'32, will present the statuettes to player winners this year, according to Mervyn LeRoy, chairman of the dinner committee. The broadcast will be carried at 11:45 P.M., E.S.T., by all three major networks.

Exclude Theatres in Legalized Games Bill

ALBANY, Feb. 17.—Theatres would not be empowered to conduct chance games, in a bill to legalize them in New York State, under strict licensing regulations, which is expected to be introduced into the state legislature this week.

The Secretary of State would be empowered to issue licenses to charitable societies and the like, collecting the fees for general state revenue.

Washington Club Party

WASHINGTON, Feb. 17.—Arch Engel and Eddie Melniker reigned as "Kings for a Day" at the Variety Club's annual Valentine-George Washington's Birthday luncheon here today. New members were introduced by Chief Barker Hardie Meakin.

Off the Antenna

THE "Carnation Contented" program heard over NBC-Red at 10 P. M. Mondays will salute the motion picture industry during next Monday's show.

• • •

Purely Personal: *The old team of Stoopnagle & Budd will be reunited for a day Sunday when Budd is guest on Col. Stoopnagle's CBS show Sunday at 5:30 P. M. . . . Robert Kinkead has joined the CBS publicity staff. . . . David S. Garland has been named sales promotion manager of WEEI, Boston. . . . Leo Cohen, head of WHN's artist bureau, has written "With Your Permission," a new song. . . . Bing Crosby returns to "Kraft Music Hall" Thursday. . . . Fibber McGee & Molly will be guests on "Lux Radio Theatre" Monday. . . . Jack Von Tilzer has resigned from the NBC program sales division. . . . Bobby Byrne, Beverly Robert and Larry Adler will be guests of Bill Berns' "Showshop" over WBNX Sunday. . . . Fred Weber, Mutual general manager, returned from the Coast yesterday.*

• • •

Starting Monday, the "Farm and Home Hour" over NBC-Blue will include in its Monday through Friday broadcasts at 12:30 P.M. news about the day-to-day developments on national defense with a review of all news on defense activities. Charles Barry, NBC Washington announcer, will handle the feature.

• • •

Program News: Hecker Products has renewed "Lincoln Highway" for an additional seven weeks over 61 NBC-Red stations, effective March 15. The renewal will bring the program up to the daylight saving time switchover. . . . "John's Other Wife" and "Just Plain Bill" have been renewed for an additional 52 weeks, effective March 24, over 64 NBC-Blue stations. Sponsors are A. S. Boyle Co., Wyeth Chemical Co., Anacin Co. and Bisodol Co. . . . Eddie Cantor will bring his show to New York and Kate Smith will move to Hollywood for four broadcasts next month. . . . "Just Music" over WQXR, 11 P.M. to midnight nightly, will be sponsored by Andrew Jergens Co. beginning March 1.

• • •

Around the Country: *Starting Monday, WBIG, Glenside, Pa., will start its programs an hour early, with a 6 A.M. opening instead of 7. . . . Al Nelson, general manager KGO-KPO, San Francisco, has been elected to the board of directors of the San Francisco Better Business Bureau. . . . WBAX, Wilkes Barre, and WARM, Scranton, Pa., will broadcast the Eastern Baseball League games from their respective cities. . . . Tidewater Broadcasting Co. has been formed in Norfolk, Va., to operate a 250-watt station. Robert G. Hofheimer is president and Alex H. Bell, vice-president. . . . WJLB, a new station will replace WMBC in Detroit next Tuesday.*

Printing Trades Plan to Ask For Radio Ownership Limit

(*Continued from page* 1)

the matter would come before a Congressional committee late in March, after the Treasury Department presents its tax bill to the ways and means committee soon after March 15. The association would ask that its plan be incorporated in the general tax bill.

It is understood the plan will not be presented before the A.F.L. executive council, which is in session here.

N.A.B. Heads Fail To Answer Attack

Broadcasting officials declined to comment yesterday on the announcement in Miami of the International Allied Printing Trades Association that it planned to seek legislation limiting commercial time on the air to 25 per cent of all broadcasting periods and to ask heavy taxation of the radio industry.

Officials took the position that the attack was on the entire industry and that, under such circumstances, the National Association of Broadcasters was best qualified to answer. In Washington, Neville Miller, N.A.B. president, said he had been too busy with the Ascap situation to consider the blast from the printers but that a statement would be forthcoming in "a day or two."

The International claims a membership of 200,000 and consists of five craft unions in the printing trades.

Haggerty proposed a 25 per cent tax on stations having a gross revenue above $500,000 annually, 15 per cent on those with more than $250,000, and 10 per cent for those with between $100,000 and $250,000 annually. He estimated that the Federal Government would derive $12,000,000 annually from such tax.

He asserted that the growth of FM stations further would deplete the revenues of newspapers. Advertising agencies, according to Haggerty, were inclined to favor radio because they could collect a double commission, one from the performers as well as the client.

Union Party Today

ALLENTOWN, Pa., Feb. 17.—The annual ball of the motion picture projectionists union here will be held tomorrow at the Keystone Trail Inn. James Rau, Rialto projectionist, is business agent of the local.

Weed Sees Trend To Spot Programs

A growing trend toward the use of spot advertising by national advertisers is seen by Joseph J. Weed, president of Weed & Co., station representatives. Weed declares that sponsors using network shows who have had them traveling from city to city have noted the growth of audience interest resulting from a program's origination in a specific locality. Spot announcements have the same local merchandising asset, according to Weed.

Ascap Decision on Decree Due Today

(*Continued from page* 1)

with the Department in Washington from Lt. Gov. Charles Poletti and Milton Diamond, special counsel for Ascap. The board is reported to have forwarded new suggestions to Government officials concerning the proposed decree, which it is said to regard as representing its final stand.

The Department's response is expected to be received by Ascap today and will be presented to the board immediately for acceptance or rejection, it was stated last night.

Meanwhile, no further conferences or meetings between Ascap and Government representatives are anticipated.

Miller Confers in Capital

WASHINGTON, Feb. 17. — Neville Miller, president of the National Association of Broadcasters, said tonight that he had spent the entire day conferring with Department of Justice officials on the Ascap situation but refused to discuss the matter.

Missouri Measure Is Aimed at Ascap

JEFFERSON CITY, Mo., Feb. 17.—A bill aimed at Ascap which would make it unlawful for two or more owners of copyrighted compositions to pool their interests for the purpose of collecting fees in this state, or to issue blanket licenses for the commercial use of their music, has been introduced in the legislature here by Representative Paul E. Turner of St. Joseph.

It provides that publishers may, however, enter into group arrangements if they issue licenses based on a "per piece" fee system; the state to have power to take title to copyrighted music if such system is violated, and to fix fees and retain them. The bill would grant the state jurisdiction also over radio music intended for hearing within the state even though originating outside it.

Introduction of the bill is credited to distress over the character of music on the air, a necessity for music suitable for the education of youth, and to alleged popular protests against the present licensing methods.

Censor Decision Due

ALBANY, Feb. 17.—Decision by the Board of Regents is expected Friday on the appeals by two distributors from a refusal by the New York State censor board to issue licenses for "Kidnapping Gorillas" and "Life on the Hortobagy."

Contracts of 'Little 3' Are Called Illegal

(*Continued from page* 1)

Nashville on Friday by Louis Frohlich of Schwartz & Frohlich, Columbia counsel.

In supporting the motion to dismiss before Federal Judge Goddard yesterday, Frohlich argued that the Government had presented no "trialable issue" in the amended complaint, that Government statements of record revealed that the Department of Justice had "no case" against the three companies, and with theatre divorcement no longer involved, conspiracy cannot figure in the case.

Benjamin Pepper of O'Brien, Driscoll & Raftery, counsel for United Artists and Universal, quoted the Government as referring to the "Little Three" as "reluctant defendants" in the original suit. He charged that the decree provision for blocks-of-five selling was a conspiracy which the three companies refused to join. He contended they would be its first "victims" if they did.

"In abandoning affiliated theatre divorcement," Pepper said, "the Government gave up the one thing that would stop a monopoly in the industry."

Judge Goddard remarked that the dropping of divorcement from the new complaint made no difference in its validity and having refused earlier to grant the petition of the "Little Three" to prohibit the filing of the Government's amended complaint, the court could not reverse itself now and dismiss that complaint.

Wright conceded that the "Little Three" do not monopolize the film business, emphasizing, however, that one small distributor can violate the anti-trust laws through contractual terms with circuits in matters of discrimination and clearance, even without conspiracy being involved. He cited, as an example, the Interstate Circuit case which the Government won several years ago.

Seven Big Features Are Set by 20th-Fox

(*Continued from page* 1)

"The Great American Broadcast," "Blood and Sand," "Miami" and "Sun Valley."

For the opening of "Tobacco Road" at the Roxy Thursday, 20th Century-Fox has purchased four to six spot announcements on six metropolitan stations, including WOR, WMCA, WNEW, WHN, WWRL and WAAT. Spot announcements on stations in key cities all over the country will be co-sponsored by 20th Century-Fox as part of the promotional campaign.

Value of the use of independent stations in the New York area was stressed because many of these stations cater to the foreign language group which are not reached over the network stations.

Bill Bans Taverns Near Film Houses

Indianapolis, Feb. 17.—Far-reaching revisions in Indiana's liquor laws are sought in bills introduced in the legislature by Republican forces. One proposed provision would prohibit taverns within 50 feet of a motion picture theatre.

Broadway Theatres Have Good Weekend

(*Continued from page* 1)

attracted big crowds to the Rivoli, giving the house about $45,000 for its first week.

"Western Union" with a stage show at the Roxy drew an estimated $23,000 Thursday through Sunday. The premiere of "Tobacco Road" at the Roxy, in addition to starting at 8 A. M. Thursday and continuing through Friday, will be given an extra show that night, extending the opening to 1 A. M. Saturday, continuous for 41 hours.

"Road Show" opens today at the Rialto, replacing "The Devil Commands," which did about $5,000 for six days. "Strawberry Blonde" with Raymond Scott's orchestra on the stage goes into the Strand Friday, succeeding "Honeymoon for Three." The latter in its second week with Ray Noble and his band on the stage garnered an estimated $12,000 Friday through Sunday.

"You're the One" and Ella Fitzgerald's band opens at the Paramount tomorrow. The third and final week of "Virginia" and Glenn Miller ends tonight with an estimated $42,000 expected. The film brought about $20,000 over Saturday and Sunday.

"Night Train" is now in its eighth week at the Globe. Business Saturday and Sunday was estimated at $3,000, which is about average. The 18th week of "The Great Dictator" ended last night with about $14,000.

London Office Of M.P.P.D.A. Is Destroyed

(*Continued from page* 1)

insists that notification must be made within two weeks by exhibitors desiring relief from contractual obligations. On reopening his theatre, the exhibitor must re-date product previously booked, or provide equivalent playing time. No additional business will be undertaken until the individual distributor concerned is satisfied that the agreement has been fulfilled.

The Films Council is scheduled to meet Friday and is expected to discuss the Government's proposal for a Films Commission. It is unofficially understood that the distributors as a whole are opposed to the plan, which would give the commission virtual control of the industry. The exhibitors already have expressed their opposition.

Allport Active in Europe

Allport, who joined the M.P.P.D.A. in 1933 after several years with the U. S. foreign commerce service, has been engaged in activity for the industry in European capitals for the past several years.

Most notably he was vitally concerned in the negotiations leading to the conclusion of the currency withdrawal agreement between the British Government and major American distributors last year, and its renewal this year. He also was active in the negotiations some time ago to bring about a resumption of film trade with Italy, and spent some time in Rome on that mission.

'U' Executives Return

HOLLYWOOD, Feb. 17.—Milton Feld and Dan Kelley, Universal studio executives, arrived today by plane from New York, where they visited after attending the Chicago sales convention. John Joseph, director of advertising and publicity is due Thursday.

Freeman Reelected Head of Producers

(*Continued from page* 1)

ond vice-president, and Fred W. Beetson, executive vice-president.

Attending the meeting representing member companies, in addition to those named, were Harry Cohn, president of Columbia; J. R. McDonough, RKO; William Goetz, 20th Century-Fox; Walter Wanger, Wanger Productions; H. M. Warner and Will H. Hays.

Joins Goldberg Circuit

SAN FRANCISCO, Feb. 17.—Roland Lloyd, well known in local theatre circles, has joined Aaron Goldberg's district circuit as chief booker.

More Active Propaganda Important, Says Grierson

By PAT DONOVAN

MONTREAL, Feb. 17.—Democracies have overlooked the fact that propaganda is more necessary for their citizens than for citizens of totalitarian countries, John Grierson, Canadian Film Commissioner, told a luncheon of the Canadian Club at the Windsor Hotel here today. Grierson is responsible for propaganda and documentary films showing the extent of Canada's war effort.

"We can, by propaganda," said Grierson, "widen the horizon of the schoolroom and give to every individual, each in his place and work, a living conception of the community which he has the privilege to serve. We can light up his life with a sense of active citizenship and is so doing we can make the life of the citizen more ardent and satisfactory to himself."

In the earlier part of his talk Grierson pointed out that Hitler rightly considered propaganda as the first and most vital weapon in political and military management, and used it perfectly in the downfall of France.

He described the "strategy of terror" used by Hitler in showing a horror film of the Polish invasion to Norwegians before that conquest.

"Everything," he said, "is grist to their mill, so long as they divide the enemy and weaken his belief in himself." Grierson added, "For myself, I watch the German procedure and wish a little sometimes that we could, without running over into harshness and blatancy, brag a little more about ourselves and put our propaganda a little more plainly on the offensive. They have flooded the world with pictures of action, of their mechanized and efficient might, of their young troops on the march and going places, of deeds done. I confess I hate to see them getting away with it."

Only the girl who played
Scarlett O'Hara has
enough fire to play
That Hamilton Woman!

BLOW YOUR OWN HORN!

Let people know you've got something to sell. Let them know it's good . . . attractive . . . amusing . . . entertaining. Use advertising. For there never was a time in the history of the world when the seller had more or better means of blowing his own horn than today. There never was a business or an industry that afforded more or better means of blowing your own horn than this motion picture industry of ours.

There never was a better method than the Three Best Sellers offered by the Prize Baby of the Industry...

Trailers . . . Lobby Displays . . . and every conceivable kind of Standard Accessory made by the Prize Baby of the Industry!

NATIONAL SCREEN SERVIC
Advertising Accessories, In
NATIONAL SCREEN ACCESSORIES

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 34 NEW YORK, U. S. A., WEDNESDAY, FEBRUARY 19, 1941 TEN CENTS

Decree to Be Submitted to Vote of Ascap

Will Precede Closing with Justice Dep't

The proposed Ascap consent decree will be submitted to a general meeting of the society's members for acceptance or rejection within the next few days before being formally closed with the Department of Justice, Ascap officials stated last night following an all-day meeting of the board of directors.

Final action on the decree proposals by the Ascap board which had been expected yesterday failed to materialize when the board adjourned until this morning without completing its discussion.

Action was delayed, it was said, due to differences of opinion within the directorate over the effects of some of the decree proposals on Ascap's future operations.

The board now is expected to complete its discussion today by approving the decree terms subject to the

(*Continued on page* 5)

Bill Would Send Music Fights to FTC

Washington, Feb. 18.—Representative Martin J. Kennedy of New York today introduced a bill in Congress providing that disputes between holders of copyright and users of music may be brought within the jurisdiction of the Federal Trade Commission. The bill provides that where agreement over terms cannot be reached the matter shall be referred to the Trade Commission for arbitration on the grounds that the use of copyrighted music is a matter of public interest. Refusal to abide by the Commission's decision would result in condemnation proceedings and disposal of the copyright by the Federal Court to the highest bidder.

'John Doe' to Open At B'way Houses Early in March

Gradwell L. Sears, general sales manager of Warners, yesterday announced that "Meet John Doe," the Frank Capra-Robert Riskin picture starring Gary Cooper and Barbara Stanwyck, will have its world premiere simultaneously at two Broadway theatres, the Hollywood and the Rivoli, early in March, following the current run of "Back Street" at the latter house. The Hollywood Theatre, a Warner house, presently shelters a ballet troupe. It is one of the newest theatres on Broadway. The scale will be 99 cents top, according to tentative plans.

The event will be heralded with a top hat and ermine opening studded with celebrities of all kinds. And under the direction of Mort Blumenstock, a radio and newspaper campaign of substantial magnitude will support the event.

Following this two-theatre premiere, the film, according to Sears, will be launched on its national engagements schedule.

Besides Cooper and Stanwyck, the cast includes Edward Arnold, Walter Brennan, James Gleason, Irving Bacon, Gene Lockhart, Rod La Rocque, Spring Byington, and Regis Toomey. The picture runs two hours and 14 minutes. Richard Connell did the script.

Stagger Release Of 'Tobacco Road'

Twentieth Century-Fox will stagger the release of "Tobacco Road." There will be no "headlong" release of the picture such as has been talked about in the trade. The company intends to give the picture the fullest box-office value possible by a selected pre-release in about 18 cities following the world premiere at the Roxy, and the Miami opening. The film, which opens here tomorrow morning, will begin a two-theatre run in Miami at the Lincoln and Surf theatres on Feb. 27, according to current plans. As one high company executive described the company's intentions with regard to this film—it will be released "intelligently."

McDonough Handles RKO Program Films

Hollywood, Feb. 18.—J. R. McDonough, vice-president of RKO, will assume the duties heretofore held by Lee Marcus, executive producer in charge of program pictures.

Marcus will serve as an associate producer under McDonough, who will continue to handle the company's relations with its independent producers.

(*Continued on page* 4)

Total Film Theatre Gross In 1939 at $673,045,000

Payroll $131,583,000; Gross 30 Per Cent Gain Over 1938

Washington, Feb. 18.—The total motion picture theatre box-office gross in the United States for 1939 amounted to $673,045,000. The legitimate theatres grossed $32,561,000. All other places of amusement, excepting radio, grossed $291,473,000. The gross reported for motion picture exhibition covers income by 15,115 theatres. These figures are from a preliminary report of the United States Census Bureau.

The figures on motion picture exhibition income reveal that the theatres of the country grossed well over 30 per cent above the $508,196,000 reported in 1938. The number of theatres reported for 1939 is approximately 25 per cent greater than the 1935 count of 12,024.

The total motion picture theatre payroll for 1939 was $131,583,000 against $102,804,000 four years earlier, and the number of employes in 1939 in all film houses was 125,684, against 93,052 in 1935.

There were fewer owners of unincorporated business in motion picture exhibition in 1939, as against the previous year. In 1939 there were 6,104, as against 6,717 in 1938. However, the Census Bureau's report does not indicate how many theatres these totals represent.

Motion picture theatres (including those with vaudeville) accounted for 33.7 per cent of the total number of establishments found in the census of amusements; 67.4 per cent of the total

(*Continued on page* 4)

440 Named to Act on Panels Of Arbitrators

Expect Total in 31 Cities To Reach 1,200

Lawyers, accountants, business men, bankers, brokers, realtors, college professors, economists, magazine editors, utility executives, school teachers and manufacturers are among those selected by the American Arbitration Association for the motion picture panels which will be set up in the 31 key arbitration centers around the country.

Already, about 440 arbitrators in 27 cities have been named, and when completed for the entire country, the setup in the 31 cities will total 1,200. Not all the panels in the 27 cities so far chosen are complete. Also, panel members for New Haven, Albany, Indianapolis and Seattle are still to be selected.

For the full list of the New York panel of 53 arbitrators appointed to date, see Page 5.

So far the numbers chosen and the cities are: Atlanta, 11; Boston, 12;

(*Continued on page* 5)

Chicago Board Gets Case on Clearance

Chicago, Feb. 18.—The second arbitration case to be brought before the local board was filed today on behalf of Ben Banovitz, president of Ken Theatre Corp.

The complaint charges 20th Century-Fox, Paramount and RKO with granting unfair clearance to the Shakespeare Theatre, operated by Arthur Schoenstadt, and to the Pix Theatre, operated by H. Schoenstadt.

According to Maxwell Landis, attorney for Banovitz, the Ken was taken over from Schoenstadt by the complainant recently. He charges that thereafter the Ken's second week clearance was denied it by the companies named in the complaint, although M-G-M and Warners continued to grant the house that protection.

Denver, Feb. 18.—Joseph G. Goodstein Enterprises, operating the Longmont Theatre, Longmont, Colo., filed an arbitration complaint here today charging Fox Intermountain Theatres with overbuying.

Hays to Celebrate 19th Year March 5

Will H. Hays will observe his 19th anniversary as president of the M.P.P.D.A. on March 5, having been appointed to the post on March 5, 1922.

Hays is expected back from the Coast about the middle of March to complete arrangements for the anual meeting of the M.P.P.D.A. board, scheduled for March 25. Ratification of Hays's new five-year contract and reelection of directors and officers is expected at the annual meeting.

Shirley Acts for M-G-M in Chicago

CHICAGO, Feb. 18.—Sam Shirley, who retired as district manager for M-G-M in this area two years ago, has been recalled to act as branch manager here pending the return of Walter E. Banford, who is recuperating from a serious operation.

Kunkel Rites Held

PITTSBURGH, Feb. 18.—Funeral services were held yesterday for Frank B. Kunkel, pioneer theatre manager, who died last Thursday, at the age of 54. Surviving are a son, two brothers and a sister.

Personal Mention

JACK COHN, Columbia vice-president, is scheduled to arrive from the Coast by train on Friday. He left Hollywood yesterday with Abe Schneider, Columbia treasurer.

•

JOHN J. PAYETTE, Warner Theatres zone manager in Washington, and his assistant, GEORGE CROUCH, are vacationing in Florida.

•

CARLO BAVETTA, managing director of 20th Century-Fox in Brazil, will leave here for his post in Rio de Janiero by plane Feb. 27.

•

FRANK T. MURRAY, manager of Universal exchange operations, is spending a few days at the Des Moines exchange.

•

PHIL SHERMAN, manager of Warners' Montreal exchange, has returned to his desk after a checkup at the Montreal General Hospital.

•

W. C. HICKS, owner of five houses in Baltimore, is vacationing in Florida.

•

FRANK MULLEN, M-G-M office manager in New Haven, is confined to his home with a knee injury.

•

SAL POPOLIZIO, assistant booker at the 20th Century-Fox exchange in New Haven, is ill with the flu.

JOSEPH I. BREEN, director of the Production Code Administration, is expected here from the Coast late this week.

•

ARTHUR UNGAR leaves Friday for Hollywood after a New York visit.

•

NATE BLUMBERG, HARRY GOLD, NATE SPINGOLD, J. J. MILSTEIN, JACK GOETZ and JOSEPH MOSKOWITZ lunching yesterday at Lindy's (51st St.)

•

HARRY BUCKLEY, MAX WEISFELDT, RUBE JACKTER and IRVING SHAPIRO at Lindy's (next to the Rivoli) yesterday for lunch.

•

HERMAN WOBBER, WALTER J. HUTCHINSON, FRANCIS L. HARLEY, HARRY THOMAS, AL RICHARD, SAM SHAIN, BEN WASHER, LAUDY LAWRENCE, ARTHUR LOEW, GERTRUDE LAWRENCE, VINTON FREEDLEY, GUY BOLTON, JIMMY SAVO, SIDNEY PHILLIPS, EDDIE DOWLING, MARY ROBERTS, MARY PHILLIPS, JOHN D. HERTZ, JR., and JOHN BUCHANAN having lunch at Sardi's yesterday.

•

CHARLES CASANAVE, HERMAN ROBBINS, WILLIAM ORR, MAX A. COHEN, MAX DREYFUS, ARTHUR MAYER, TOBY GRUEN and LOU DREYFUS at Nick's Hunting Room in the Astor yesterday for lunch.

•

EDWARD PESKAY, A-MIKE VOGEL, TESS MICHAELS, HORTENSE SCHORR, DOUGLAS ROTHACKER, MAURICE BERGMAN, CHARLES E. MCCARTHY, ROBERT SAVINI and MORRIS KINZLER lunching at the Tavern yesterday.

•

PHIL ENGEL, Warner Eastern district exploiteer, left yesterday for Providence and Boston.

•

DALLAS DAY, RKO booker at Des Moines, is recovering from an operation at Rochester, Minn.

•

JACK WAXMAN, operator of three theatres at Atlantic City, is on vacation at Miami Beach.

•

HARRY J. SCHAD, Reading, Pa., theatre owner, has been elected to the board of the Reading Fair.

'Canary' Premiere in Dallas on March 8

DALLAS, Feb. 18.—World premiere of Paramount's "The Hard Boiled Canary" will be held at the 3,800-seat State Fair Auditorium here March 8, as a benefit for British war relief. Merchants are cooperating in selling tickets, which are priced at $2 and $2.50. A $10 per plate dinner will be held March 7 to call further attention to the show. A number of Hollywood players will attend the festivities, and matinee and evening showings of the premiere, at which the Dallas Symphony Orchestra will play.

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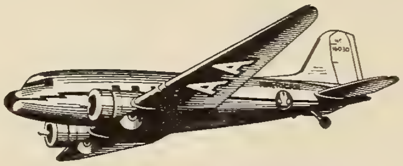

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Newsreel Parade

ALL of the newsreels continue to play up subjects of defense significance. Seen in the new issues are 20 bombers in a formation flight over Mt. Rainier, and an airplane show for airplane workers. Outstanding a[illegible]g the general news is Harry Ho[illegible]' return from England. The contents:

MOVIETONE NEWS, No. 47—Hopkins arrives. John G. Winant talks on foreign affairs. Churchill inspects naval base. Reserves at Annapolis. Bombers over Mt. Rainier. Notre Dame-N. Y. U. basketball. Santa Anita Derby. Hoppe plays billiards. Senators exercise in Washington gymnasium. Baseball players in Florida training.

NEWS OF THE DAY, No. 245—A day at Camp Dix. Airplane workers view finished product. Bathing at Rio de Janeiro. Churchill inspects naval bases. Hopkins arrives. Senators in reducing exercises. Baseball stars in Florida.

PARAMOUNT NEWS, No. 50—Patrol bombers over Mt. Rainier. American pilots arrive from London. Airplane workers see planes they built. Hopkins returns here. Mothers protest lend-lease bill in Washington. Tourists in Nassau; Windsor presents regatta trophies. Iceboating in Michigan. Frank Leahy named Notre Dame football coach. Track meet in New York. Female wrestlers in Washington.

RKO PATHE NEWS, No. 50—Hopkins returns. Bombers shipped to England. Naval Reservists train at Annapolis. Dust storm in Colorado. Senators reduce in Washington. Hoppe holds billiard crown. Girls wrestle in Washington. Santa Anita Derby. Track meet in New York. Bobsledding at Lake Placid.

UNIVERSAL NEWSREEL, No. 955—Hopkins returns. Armored forces at Fort Benning. Bombers in formation flight. Aircraft workers see new planes. Naval Reserves sworn in. Senators in reducing session. Spring hats. Notre Dame tops N. Y. U. in basketball. Santa Anita Derby. Willie Hoppe retains billiard crown.

Oriental Opens with 'Angels' on Friday

CHICAGO, Feb. 18.—"Hell's Angels," which is being reissued, will reopen the Oriental in the Loop here on Friday, under the first week's management by Michael Todd of the former Jones, Linick & Schaefer house. The bill will also have a stage show produced by Todd, called "Naughty Nineties."

MOTION PICTURE
DAILY
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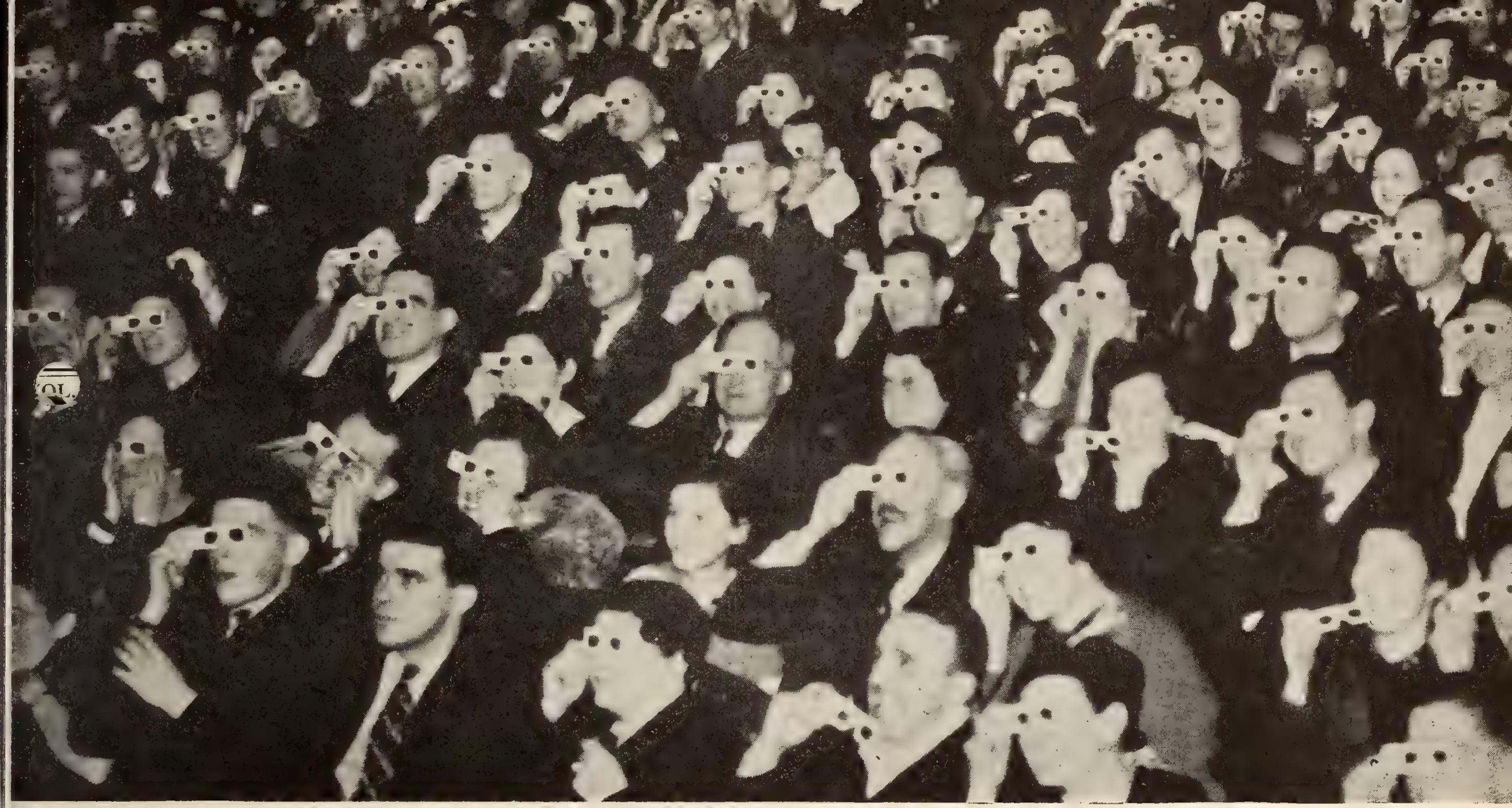

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'Live' Draws Good$13,500, Frisco's Best

SAN FRANCISCO, Feb. 18.—"Come Live with Me," paired with "The Mad Doctor" drew $13,500 at the Paramount. "High Sierra" and "Ride, Kelly, Ride" took $14,500 at the Fox.

Estimated takings for the week ending Feb. 11-14:

"Kitty Foyle" (RKO)
GOLDEN GATE—(2,850) 35c-40c-55c) 7 days, 3rd week. Stage, vaudeville. Gross: $10,500. (Average, $15,000)

"High Sierra" (W. B.)
"Ride, Kelly, Ride" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $14,500. (Average, $16,000)

"Night Train" (20th-Fox)
"Maisie Was a Lady" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $6,000)

"Trail of the Vigilantes" (Univ.)
"Invisible Woman" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $9,500. (Average, $8,000)

"The Long Voyage Home" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c), 6 days, 2nd week. Gross: $6,500. (Average, $8,000)

"Come Live With Me" (M-G-M)
"The Mad Doctor" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50) 7 days. Gross: $13,500. (Average, $11,500)

"The Philadelphia Story" (M-G-M)
"Jennie" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $10,500. (Average, $12,000)

"Queen of La Scala" (foreign)
CLAY—(400) (15c-35c-45) 7 days, 2nd week. Gross: $700. (Average, $1,000)

Joins Universal

DES MOINES, Feb. 18.—Gene Post, former Republic booker here, has joined the Universal exchange as booker, succeeding Charles Elder.

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Feature Review

"Andy Hardy's Private Secretary"

(M-G-M)

CHALK up another winner in the ever-lengthening list of "Hardy Family" box-office tonics. "Andy Hardy's Private Secretary" is swell entertainment for the entire family, anywhere, anytime. It is all human, likeable and intensely natural and tops in entertainment values.

Added to that group of players who have come to be also a part of American life, including Mickey Rooney as Andy, Lewis Stone as Judge Hardy, Fay Holden as Mrs. Hardy and Ann Rutherford as Polly Benedict, there is a newcomer, Kathryn Grayson, in what may be described as the title role. The girl definitely is worthy of special mention and billing attention on the part of the exhibitor. She is possessed of charm and a highly appealing personality, plus a really splendid singing voice, which she demonstrates most effectively in operatic and modern popular numbers. Miss Grayson certainly looks like a "find."

Under the customarily able direction of George B. Seitz, Andy contrives to get himself into a wholly new set of boyhood difficulties, with serious repercussions providing a good measure of dramatic backbone. The film is laden with tears and laughs, with comedy and the tragedy of childhood catastrophe, and it all adds up to grand all-purpose entertainment which should tell its own story on the black side of the exhibitor's ledger.

Supporting the leading players are Sara Haden, Ian Hunter, George Breakston and Todd Karns, all contributing effectively to the work of a fine cast.

Andy, about to graduate from high school, and as class president, the boss of just about everything connected with commencement, is urged by his father to be helpful to the brother and sister from across the tracks, Miss Grayson and Karns. His help results in making Miss Grayson his "private secretary," which gets him into romantic difficulties with Miss Rutherford, and causes him to ruin accidentally the chances of Miss Grayson's father to get a Government post arranged by Judge Hardy. But when Andy fails an examination and appears unlikely to graduate, the brother and sister come to the rescue, persuade the authorities to grant a new test, and Andy passes, while the other complications are straightened out to everyone's satisfaction.

Running time, 101 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

Total Film Theatre Gross In 1939 at $673,045,000

(Continued from page 1)

volume of business of the amusement industry; 56.2 per cent of the total employment and 58.4 per cent of the total pay roll, the Census Bureau found.

A breakdown of the employment figures showed that in 1939 the picture houses employed 103,879 full-time employes who were paid $124,165,000 and 21,805 part-time workers, who were paid $7,418,000.

Legitimate Houses Increased

The report showed also that the number of legitimate theatres, opera houses and theatrical productions totaled 231 in 1939 against 158 in 1935 and had aggregate receipts of $32,461,000 compared with $19,630,000.

The theatrical business—film and legitimate—accounted for $705,606,000 out of the total of $998,079,000 reported as the receipts of the whole amusement industry.

The greatest number of establishments in 1939 (17,644) was reported for billiard and pool parlors and bowling alleys; but there were 245 amusement parks, with receipts of $10,123,000; 56 horse and dog race tracks, with receipts of $43,507,000; 840 riding academies, with receipts of $2,875,000, and 668 commercial swimming pools, with receipts of $2,815,000.

Details of motion picture exhibition, showing admission by states, will be developed by the Census Bureau in later reports, now in the course of preparation.

McDonough Handles RKO Program Films

(Continued from page 1)

The change is effective immediately.

This was announced today by George J. Schaefer, president, who recently arrived here to take complete charge of studio operations. He will leave tomorrow for New York for two days of business conferences and then will return here for an indefinite stay.

Schaefer also announced that Dan Winkler will continue in his present capacity in charge of studio talent commitments. Winkler is rounding out his first year with the studio.

Hollywood Notes

Hollywood, Feb. 18.

ROBERT Z. LEONARD has been given a new contract as producer-director at M-G-M, marking the beginning of his 18th year with the company. His next production will be "Two Women" . . . George Marshall, who directed Universal's "Destry Rides Again," will guide Columbia's "Texas," in which William Holden will play the top role . . . Ar[illegible]ur Kennedy, Brenda Marshall, [illegible]liam Lundigan, Olympe Bradna and Willie Best top the cast of Warners' "Highway West." William McGann will direct.

•

Orville Dull, associated with John W. Considine for more than 10 years, has been elevated to the rank of producer at M-G-M . . . John Garfield, Ida Lupino, Eddie Albert, Thomas Mitchell and John Qualen will be seen in Warners' "The Gentle People," from the Irwin Shaw play. Anatole Litvak directs . . . Lloyd Nolan, Constance Moore and Albert Dekker have been set for Paramount's "Buy Me That Town," Sol C. Siegel production . . . "Flying Wind" is the new title for Monogram's "Air Devils," featuring the East Side Kids.

•

Monte Montana, rodeo star and film actor, will be featured in George Weeks' next Range Busters western for Monogram, "Tumbledown Ranch in Arizona" . . . Columbia has signed Otto Kruger and John Litel for roles in "Chain Gang," which Charles Barton will direct for Producer Wallace MacDonald . . . Producer Cliff Reid and Director Jack Hively have set Adolphe Menjou and Anne Shirley for RKO's "The Father Takes a Wife."

•

Columbia is lining up a pretentious cast for its musical, "Show Business," to be produced by Irving Starr. Rudy Vallee, Ann Miller, Glen Gray and his Casa Loma orchestra, William Gargan, Allen Jenkins and the Three Stooges have been set for the film, which Sidney Salkow will direct . . . Smiley Burnette will make a Republic picture without Gene Autry whom he supports in the musical westerns. He will be featured in "Country Fair," and supported by Lulu Belle and Scotty, film-radio team.

Hakim Brings Suit

Raphael Hakim, owner of the French film, "The Baker's Wife," filed suit in Federal Court yesterday against The Baker's Wife, Inc., asking an injunction, accounting and damages. Hakim claims that under a distribution contract the defendant was to file a weekly accounting, but failed to do so, and terminated the film's run at the World Theatre here without his consent.

Davidson Is Upheld

The United States Circuit Court of Appeals yesterday upheld a Federal Court decision appointing James A. Davidson as trustee of Educational Pictures, Inc. The election of Davidson was contested by Harry G. Fromberg, trustee of Grand National Pictures, on the ground that it was improper.

440 Named to Act on Panels Of Arbitrators

(Continued from page 1)

Buffalo, 23; Charlotte, 21; Chicago, 12; Cincinnati, 13; Cleveland, 17; Da[illegible] 9; Denver, 14; Detroit, 15; Ka[illegible]s City, 9; Los Angeles, 18; Memphis, 8; Milwaukee, 19; Minneapolis, 10; Des Moines, 15; New Orleans, 10; Oklahoma City, 10; Omaha, 14; Philadelphia, 20; Pittsburgh, 9; Portland, 20; Salt Lake City, 18; St. Louis, 21; San Francisco, 10; Washington, D. C., 14.

10 Members Minimum

Under the arbitration rules of the decree, a panel of at least 10 members must be named. Typical of those selected are the following:

Atlanta—Dr. Harvey W. Cox, president Emory University, and A. W. Heden, district manager Sinclair Refining Co. Boston—Roy F. Williams, editor of *Industry,* and Raymond P. Baldwin, attorney. Buffalo—Thomas J. Reese, president, International Printing Ink Corp., and Henry P. Werner, chairman of the board of Best Foods, Inc. Charlotte—Ernest J. Beaty, professor, Davidson College, and W. M. McLaurine, secretary of American Cotton Manufacturers Association.

Chicago—Adolph Kroch, Kroch's Bookstores, Inc., and Benjamin Wham, president, Illinois Bar Association. Cincinnati—Thomas H. Morrow, Judge of the Common Pleas Court, and Frederick W. Carber, architect. Cleveland—Birkett L. Williams, auto dealer, and Lewis Wintersute, CPA. Dallas——J. B. Aboue, Jr., president National Bank of Commerce, and Lewis W. MacNaughton, geologist.

Denver—James E. Cartwright, president Cartwright Realty Co., and Charles A. Shinn, vice-president Denver Dry Goods Co. Detroit—Hugh Ferry, secretary and treasurer Packard Motor Car Co., and Eugene A. Casaroll, president Automobile Shippers, Inc. Kansas City—Powell C. Groner, president, Kansas City Public Service Co., and Henry M. Shugart, attorney.

Newspaper Executive on Panel

Los Angeles — Captain Robert Henderson, Southern California Newspapers Association, and Mark A. Pierce, mortuary president. Memphis—W. H. Jasspon, vice-president Perkins Oil Co., and Eugene Moore, district manager U. S. Rubber Co. Milwaukee—Dr. Henry L. Banzhaf, business manager Marquette University, and Harry E. Christiansen, president General Lumber Co. Minneapolis—Hiram A. Douglas, president, Citizens Morris Plan, and Arnett W. Leslie, president John Leslie Paper Co. Des Moines—John D. Adams, general secretary, Chamber of Commerce, and E. S. Boudinot, engineer. New Orleans—Joseph Lallande, Southern Pacific Railroad, and Paul Brossman, dean of the College of Law, Tulane University.

Oklahoma City—Carl Dalbey, vice-president Oklahoma City Hardware Co., and Aaron M. Weitzenhaffer, president, Davon Oil Co. Omaha—Thomas B. Coleman, Pittsburgh Plate Glass Co., and C. P. Horn, Omaha Association of Credit Men.

Philadelphia—A. E. Southgate, Philadelphia & Reading Coal & Iron Co., and H. Eugene Wheeler, treasurer, N. W. Ayer & Son, Inc. Pittsburgh—Charles F. C. Arensberg, attorney, and W. C. Arthur, president and chairman of the board of Pittsburgh Academy. Portland—I. D. Winslow, district manager, Pacific Telephone & Telegraph Co., and George W. Schoeffel, Oregon Mutual Life Insurance Co.

Salt Lake City—Earl J. Glade, vice-president and manager Radio Station KSL, and Henry J. Plumhof, retired railroad man. St. Louis—Charles M. Huttig, president St. Louis Lumber Co., and W. Stuart Symington, president Emerson Electric Co. San Francisco—P. M. Downing, Pacific Gas & Electric Co., and William Fisher, importer-exporter. Washington—Henry S. Owens, accountant, and Dr. Alexander V. Dye, physician.

53 Arbitrators Appointed For Service on N. Y. Panel

Fifty-three members of the panel of arbitrators for the New York local board were formally presented their certificates of appointment yesterday by C. V. Whitney, president of the American Arbitration Association, at a brief ceremony at association headquarters.

There are 23 attorneys among the initial members of the panel. Additional appointments will be made from time to time, Whitney said. The New York panel is the largest named for any of the 31 local boards.

The first New York complaint was filed with the local board here yesterday but was withheld from the press pending notification today to the parties involved.

One Arbitrator to Decide

Each complaint filed will be decided by a single arbitrator chosen from the panel by both sides to a dispute.

Members of the New York panel are:

Johnfritz Achelis, president, Commercial Factors Corp.; Prof. Willard E. Atkins, chairman of Department of Economics, N. Y. U.; Francis Bancroft, vice-president, Pease & Elliman, realtors; Andre L. Benel, vice-president and director of the executive committee of Brown, Wheelock, Harris, Stevens, Inc., real estate; James G. Blaine, president, Marine Midland Trust Co.; William T. Bostwick, vice-president, Manhattan Warehouse & Storage Co.

Also: Robert R. Bruce, attorney; Robert Buechner, broker, Wainwright, Luce & Willetts; Frederick R. Cantzlaar, secretary-treasurer, Binney & Smith Co.; William Peter Cavanaugh, attorney; Julius Henry Cohen, general counsel, N. Y. State Chamber of Commerce; Roscoe S. Conkling, attorney, National Food, Drugs & Cosmetics Board of Trade; Robert Emmet Connolley, attorney; Edward F. Darrell, Jr., N. W. Ayer & Son executive; W. Palmer Dixon, broker, Carl M. Loeb, Rhoades & Co.; Guy Emerson, vice-president, Bankers Trust Co.; George H. Engelhard, attorney; Benedict Erstein, president, Erst Co., Inc.; Paul L. Fitzpatrick, General Motors Corp. executive.

Also: Osmond K. Fraenkel, attorney; Henry J. Fuller, director, Savage Arms Co.; Roswell L. Gilpatric, attorney; Jules Glaenzer, vice-president, Cartier, Inc.; I. Edwin Goldwasser, vice-president, Commercial Factors Corp.; William J. Graham, vice-president and director, Equitable Life Assurance Society; Daniel H. Haynes, vice-president and director, American Machine & Foundry Co.; S. Marshall Kempner, broker; Milton P. Kupfer, attorney; Warren Leslie, president, director and chairman of the board, Jamaica Water Supply Co.; Warren Leslie, Jr., attorney.

Also: John T. McGovern, general counsel, Photo-Engravers Board of Trade of N. Y. C.; Thomas S. McLane, president, Skidmore Coal Co., director, Douglas Gibbons & Co.; Joseph Mayper, chairman and counsel, Trans-Atlantic Passenger Conference; Morris B. Moskowitz, attorney; Major B. H. Namm, president, Namm Department Store; James A. O'Gorman, Jr., attorney; John C. Pemberton, attorney; Lionel S. Popkin, attorney.

Also: George A. Spiegelberg, broker; Francis Adams Truslow, attorney; William T. Van Atten, vice-president, Dun & Bradstreet; Hon. William H. Wadhams, former municipal judge; Frank L. Weil, attorney; Victor Weybright, managing editor, Survey Graphic Magazine; William Gamble Woodward, treasurer, Will Harston, Inc., and broker; C. Frank Crawford, ex-president, N. Y. Master Printers Association; Eli Whitney Debevoise, attorney; Roy Dickinson, president, Printers Ink Magazine; Lucius R. Eastman, Jr., Hills Bros., importers; James P. Gifford, professor of law, Columbia University; John Raiss, broker; J. Raymond Tiffany, general counsel, Interstate Sanitation Commission, and John K. Watson, attorney.

2 New Censor Bills Planned for L. A.

LOS ANGELES, Feb. 18.—Hearing on a proposed film and stage show censorship ordinance which representatives of various organizations attended broke up late tonight with Councilman Norris J. Nelson abandoning his attempt to exempt films approved by the Production Code Administration. He is planning to draft two bills, one for stage shows and another for films.

Upon being informed by attorneys that exemption of any group of films would be unconstitutional, Nelson said one new bill would provide for the city attorney to start injunction proceedings to stop the exhibition of lewd films, putting the burden of proof on the exhibitor. The other measure would suspend a theatre license for putting on lewd stage shows.

Decree to Be Submitted to Vote of Ascap

(Continued from page 1)

later action of the Ascap membership. The date for the membership meeting will be set today.

Department of Justice Sees Decree This Week

WASHINGTON, Feb. 18.—Department of Justice officials today expressed the belief that Ascap would come in with a consent decree this week, possibly tomorrow but more likely on Thursday, which would enable the prompt closing of the Milwaukee case against the society.

The Department was advised that the Ascap board of directors met in New York again today to put the final touches on the decree. They said, however, that even if Ascap comes in with acceptable proposals immediate consummation of the agreement may not be possible because of the necessity for a final review of the document by Department experts to make sure it is in proper form.

Anti-Ascap Bill Introduced in N. J.

TRENTON, Feb. 18.—Assemblyman J. Stanley Herbert of Monmouth yesterday introduced an anti-Ascap bill in the legislature which would prohibit "monopolistic abuses and activities wrongfully practiced under the guise of copyrights within the state by price-fixing combinations, monopolies and pools." Herbert said his measure was aimed at all combinations of music publishing organizations.

Ascap Sues Theatre For Infringement

NEW HAVEN, Feb. 18.—Infringement suit against Middletown Enterprises, Inc., has been filed in the U. S. District Court here, on behalf of Gene Buck, president of Ascap, for Mills Music, Inc., and Irving Berlin. The alleged infringement occurred Aug. 17, 1940, when the Capitol, Middletown, ran three vaudeville acts and "Ain't Misbehavin'" and "Careless" were rendered.

Legitimate Group Enters Ascap Fight

The League of New York Theatres, legitimate producers' theatre group, yesterday sought to enter the Ascap consent decree negotiations by filing a memorandum with the Department of Justice asking that the proposed decree incorporate a provision covering musical comedy producers. The provision, it was reported, would permit producers to negotiate with Ascap for a share of its royalties because of the use of songs from plays. Ascap officials said the memorandum probably would not affect the proceedings.

'Love' Tallies Fair $17,500, Los Angeles

LOS ANGELES, Feb. 18.—"This Thing Called Love" in the second week, drew a total of $17,500. At the Hillstreet, paired with "San Francisco Docks," it took $8,500, and at the Pantages, paired with "Meet the Chump" it drew $9,000.

Estimated takings for week ending Feb. 12:

"Tall, Dark and Handsome" (20th-Fox)
"Keeping Company" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75) 6 days. Gross: $8,000. (Average: $12,500)

"Fantasia" (RKO)
CARTHAY CIRCLE—(1,518) (55c to $1.65) 7 days, 2nd week. Gross: $15,500. (Average, $17,000)

"Cheers For Miss Bishop" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 4th week. Gross: $3,200. (Average, $3,250)

"This Thing Called Love" (Col.)
"San Francisco Docks" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75) 7 days. "Love" 2nd week. Gross: $8,500. (Average, $6,500)

"Tall, Dark and Handsome" (Fox)
"Keeping Company" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c 75c) 7 days. Gross: $12,000. (Average, $14,000)

"This Thing Called Love" (Col.)
"Meet The Chump" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. "Love" 2nd week. Gross: $9,000. (Average, $7,000)

"The Mad Doctor" (Para.)
"The Monster and The Girl" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75). Stage: Andy Kirk and Orchestra and Sepia Revue. Gross: $15,000. (Average, $18,000)

"Road Show" (U. A.)
"Behind The News" (Rep.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75). Gross: $9,700. (Average, $14,000)

"Road Show" (U. A.)
"Behind The News" (Rep.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c). Gross: $9,900. (Average, $12,000)

'Kitty Foyle' Pulls $9,000 in Toronto

TORONTO, Feb. 18.—"Kitty Foyle" made $9,000 at the Uptown for its second week. "This Thing Called Love" was good for $8,000 in the fourth week at the Imperial. "Gone With the Wind" registered $8,900 at Loew's for its third week. The weather was generally mild.

Estimated takings for the week ending Feb. 15:

"This Thing Called Love" (Col.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75) 6 days, 4th week. Gross: $8,000. (Average, $9,000)

"Gone With The Wind" (M-G-M)
LOEW'S—(2,074) (25c-40c-50c-75c) 6 days, 3rd week. Gross: $8,900. (Average, $9,000)

"Four Mothers" (W. B.)
"The Case of The Black Parrott" (W. B.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $6,500. (Average, $7,500)

"Arizona" (Col.)
"Babies For Sale" (Col.)
TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $3,200. (Average, $3,900)

"Kitty Foyle" (RKO)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $9,000. (Average, $9,000)

Music Union Elects

GLEN LYON, Pa., Feb. 18.—Local 696 of the American Federation of Musicians has reelected Rocco Albanese president. Other officers are: Joseph Dzialdowski, vice-president; Joseph Noveral, recording secretary; Anthony Supkowski, financial secretary; Michael Danko, treasurer; John Womelsdorf, business agent; Ignatz Czaratski, sergeant-at-arms.

Merchants Seek To Reopen House

Kansas City, Feb. 18.—Local merchants are organizing a cooperative company to buy the equipment of the theatre at Little River, Kan., closed some months ago, to bring about its reopening.

'Story' St. Louis High With $17,500

ST. LOUIS, Feb. 18.—"The Philadelphia Story" grossed $17,500 in its first week at the Loew's State, while grosses at other houses were down.

Estimated takings for week ending Feb. 13:

"Mr. and Mrs. Smith" (RKO)
"Play Girl" (RKO)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,000. (Average, $11,500)

"Western Union" (20th-Fox)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $10,000. (Average, $11,000)

"The Philadelphia Story" (M-G-M)
"Road Show" (U. A.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $17,500. (Average, $13,000).

"Kitty Foyle" (RKO)
"Second Chorus" (Para.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,500. (Average, $4,000).

"Behind the News" (Rep.)
"Lucky Devils" (Univ.)
ST. LOUIS—(4,000) (25c-35c). Gross: $1,500. (Average, $3,000).

'Street' at $9,100 Kansas City Lead

KANSAS CITY, Feb. 18. — "Back Street" drew a total of $9,100 at two houses, $4,300 at the Esquire and $4,800 at the Uptown. "Romance of the Rio Grande," aided by Clyde McCoy and his band at the Tower, took $8,900.

Estimated takings for the week ending Feb. 11-13:

"Back Street" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $4,300. (Average, $2,200)

"Gone With The Wind" (M-G-M)
MIDLAND—(4,000) (40c-56) 7 days, 3rd week. Gross: $9,000. (Average, $9,500)

"Honeymoon For Three" (W. B.)
NEWMAN—(1,900), (28c-44c) 7 days. Gross: $6,500. (Average, $7,000)

"Santa Fe Trail" (W. B.)
"She Couldn't Say No" (W. B.)
ORPHEUM—(1,900) (28c-44) 7 days, 3rd week. Gross: $5,500. (Average, $5,000)

"Romance of The Rio Grande" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Clyde McCoy and Orchestra, 3 Bennett Sisters, Dick Lee. Gross: $8,900. (Average, $6,000)

"Back Street" (Univ.)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $4,800. (Average, $3,000)

Bill in Wisconsin Legalizes Betting

MADISON, Wis., Feb. 18. — A bill legalizing and licensing pari-mutuel horse race betting in the state has been introduced into the Wisconsin legislature.

The measure was introduced by Assemblyman Nicholas Bichler. Similar measures have been strongly opposed by exhibitors during past legislative sessions and have been defeated.

Assessment Reduced

The assessed valuation of the New 14th Street Theatre has been reduced from $125,000 to $100,000 in settlement of the theatre's tax reduction application.

Minneapolis Gives 'Command' $14,000

MINNEAPOLIS, Feb. 18. — "Flight Command," coupled with a strong stage show, led with $14,000 at the Orpheum. "Santa Fe Trail" did $11,000 at the State.

Estimated takings for the week ending Feb. 14:

"Flight Command" (M-G-M)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Stage show with Kitty Carlisle, Ben Blue, Rufe Davis—Susanna Foster, Dolly Loehr added for 2 days. Gross, $14,000. (Average, $5,500)

"Santa Fe Trail" (W. B.)
STATE—(2,300) (28c-39c-44c) 7 days. Gross, $11,000. (Average, $6,000)

"Philadelphia Story" (M-G-M)
CENTURY—(1,600) (28c-44c) 7 days, 3rd week. Gross, $5,600. (Average, $4,000)

"Long Voyage Home" (U. A.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross, $2,300. (Average, $1,600)

"Escape to Glory" (Col.)
GOPHER—(998) (28c) 6 days. Gross, $2,000. (Average, $2,500)

"Bowery Boy" (Rep.)
MINNESOTA—(4,000) (28c-39c) Stage show including Anita Louise, Jackie Heller. 7 days. Gross, $5,900. (Average, $8,000)

"Romance on the Rio Grande" (20th-Fox) 5 days.
"Saint in Palm Springs" (RKO) 5 days.
"Youth Will Be Served" (20th-Fox) 2 days
"San Francisco Docks" (Univ.) 2 days.
ASTER—(900) (15c-28c) 7 days. Gross, $2,100. (Average, $1,800)

'Western' Garners $8,800, Milwaukee

MILWAUKEE, Feb. 18. — "Western Union" and "Blonde Inspiration" at Fox's Wisconsin took $8,800. The Mills Brothers on the stage and the film "Behind the News" at the Riverside, grossed $9,700.

Estimated takings for the week ending Feb. 13:

"You're The One" (Para.)
"The Mad Doctor" (Para.)
PALACE—(2,400) (30c-40c-55c), 7 days. Gross: $6,000. (Average, $4,000).

"Behind the News" (Rep.)
RIVERSIDE—(2,700) (28c-44c) 7 days. Stage: Mills Brothers. Gross: $9,700. (Average, $6,500)

"This Thing Called Love" (Col.)
"Hudson's Bay" (20th-Fox)
STRAND—(1,400) (30c-40c-55c) 7 days, 2nd week. Gross: $1,400. (Average, $1,500)

"High Sierra" (W. B.)
"One Night in the Tropics" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $7,000. (Average, $4,500)

"Western Union" (20th-Fox)
"Blonde Inspiration" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $8,800. (Average, $5,500)

'Bagdad' Is Omaha Lead with $6,600

OMAHA, Feb. 18. — Bad weather pushed grosses downward. "Thief of Bagdad" at the Omaha drew $6,600. Heavy competition came from Sonja Henie ice revue.

Estimated takings for the week ending Feb. 12-13:

"This Thing Called Love" (Col.)
"Escape to Glory" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days, 2nd week. Gross: $3,400. (Average, $4,000)

"The Thief of Bagdad" (U. A.)
"A Little Bit of Heaven" (Univ.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,600. (Average, $6,000)

"Trail of the Vigilantes" (Univ.)
"Honeymoon for Three" (W. B.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $6,800. (Average, $7,200)

Takes N. T. S. Post

INDIANAPOLIS, Feb. 18. — B. N. Peterson is here from the Cincinnati office to be the new manager of the local branch of the National Theatre Supply Co. He succeeds Don K. Smith.

'Mothers' Is Chicago High With $46,000

CHICAGO, Feb. 18.—"Four Mothers" with the Andrew Sisters and Gene Krupa on the stage drew $46,000 at the Chicago. "Screwballs of 1[illegible]" a stage show, plus "South of [illegible]z" grossed $23,000 at the State-Lake.

Estimated takings for week ending Feb. 14:

"The Son of Monte Cristo" (U. A.)
APOLLO—(1,400) (35c-55c-75c) 7 days. 2nd week. Gross: $3,500. (Average, $6,500)

"Four Mothers" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Andrews Sisters and Gene Krupa. Gross: $46,000. (Average, $32,000)

"This Thing Called Love" (Col.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,000. (Average, $5,000)

"Hit Parade" (Rep.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: variety unit. Gross: $15,000. (Average: $13,000)

"Kitty Foyle" (RKO) 3 days.
"Saint in Palm Springs" (RKO) 3 days.
"Buck Private" (Univ.) 4 days.
"Play Girl" (RKO) 4 days.
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $14,000. (Average, $11,000).

"Flight Command" (M-G-M)
ROOSEVELT—(1,500) (35c-55c-75) 7 days. 2nd week. Gross: $9,000. (Average, $11,000)

"South of Suez" (W. B.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: "Screwballs of 1941". Gross: $23,000. (Average, $15,000)

"Philadelphia Story" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75) 7 days. 3rd week. Gross: $11,000. (Average, $14,000)

$15,000 in Cincinnati 'Back Street' Gross

CINCINNATI, Feb. 18.—"Back Street" did $15,000 at the RKO Albee, and "Play Girl," on the RKO Shubert screen, took $12,000 in combination with a stage show.

Estimated takings for the week ending Feb. 11-15:

"Back Street" (Univ.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $15,000. (Average, $12,000)

"High Sierra" (W. B.)
RKO PALACE—(2,700) (33c-40c-50c) 5 days. Gross: $8,000. (Average, 7 days. $10,000)

"Play Girl" (RKO)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Milt Britton Revue and Patricia Ellis. Gross: $12,000. (Average, $10,000)

"Mr. and Mrs. Smith" (RKO)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days. 2nd week. Gross: $4,000. (Average, $5,500)

"Four Mothers" (W. B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $5,000. (Average, $5,000)

"Honeymoon for Three" (W. B.)
RKO LYRIC—(1,400) (28c-33c-52c) 7 days. 2nd week. Gross: $2,800. (Average, $4,500)

"Behind the News" (Rep.)
"Black Parrot" (W. B.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Li'l Abner" (RKO)
"Murder Over New York" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $1,000. (Average, $800)

"Tall, Dark and Handsome" (20th-Fox)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $3,000. (Average, $5,000)

House Raises Price

DENVER, Feb. 18. — The Federal, north Denver suburban unit of Civic Theatres, recently raised evening admission from 25 to 30 cents. They now book pictures in the house a month earlier than second run downtown theatres, and report attendance has not decreased due to the price boost.

Sunday Films Win On Ballot Recount

Greensburg, Pa., Feb. 18.—A recount of voting last November shows that citizens of this Westmoreland County seat favor Sunday films. On the recount, the proposal to permit Sunday films carried by a slim margin of 12 votes. After the originally tally, it [illegible] announced the proposal [illegible] lost by 57 votes. The recount was ordered last week by Judge J. Hilary Keenan after supporters of the proposal filed a petition contending errors had been made in computing the original tally.

New Booking Group Formed in Toronto

Toronto, Feb. 18. — Consolidated Theatres Association, a co-operative booking syndicate for independent theatres of Ontario with headquarters in Toronto, has been organized with the following officers: Morris Weiss, Colony Theatre, president; B. Goldhar, Paramount Theatre, vice-president; Gus Soloway, Bloordale Theatre, treasurer; Harry Romberg, Metro Theatre, secretary, and Harry S. Dahn, general manager.

This is the second independent buying group in the Toronto district, the other organization being the Exhibitors Booking Association of which Nat Taylor is the general manager. In Toronto alone, there are also four circuits. Very few exhibitors are now doing their own booking in Toronto and suburbs.

Toronto's Blackout Rehearsal Dropped

Toronto, Feb. 18.—There will be no blackout test in Toronto after all and the arrangements which local exhibitors had made to meet the situation have been dropped. Representatives of the Dominion Government, the municipal council and the Toronto War Savings Committee, under whose auspices the experiment was to have been staged, could not agree on conditions for the rehearsal, although many suggestions were offered. The theatres affected had agreed to blacken out and to distribute pass-out checks among patrons so that the latter could return to their seats for the remainder of the show.

A number of smaller cities in Ontario have staged blackouts, along with military demonstrations, fire brigade runs and bombing practice.

Susanna Foster Due

Susanna Foster, Paramount player now on tour, arrives here tomorrow. She will appear on the Kate Smith air show Friday in a radio version of "The Hard Boiled Canary," in which she is featured, and later on the Twenty Grand program. She will resume her tour Saturday in New England.

Film at Carnegie

The American premiere of "It Happened to One Man," co-starring Wilfred Lawson and Nora Swinburne, will be held at the Little Carnegie Playhouse on Saturday. The film was produced in England and is released here by RKO.

Midnight Shows for Greek Relief

Arrangements are being made by the amusement industry division of the Greek War Relief Association to hold midnight shows during the week of March 25 in all theatres cooperating with the divisions's activities. The date is the anniversary of Greek independence.

Committees directed by 12 division chairmen are working in the 31 exchange centers now to obtain theatre participation in the drive, which is nationwide.

A two-minute short subject is being prepared in Hollywood for free distribution to participating theatres.

Joseph R. Vogel of Loew's, campaign chairman for New York City, Albany and Buffalo areas, outlined plans for Greek War Relief Week at a luncheon yesterday at the Hotel Astor. Adolph Zukor, chairman of the Amusement Industry Division, and Spyros Skouras, active head of the national campaign, were guests of honor. Vogel announced receipt of pledges from the Loew, RKO, Warner, Paramount and National Theatres circuits. Pledges were made at the luncheon by representatives of the Radio City Music Hall, and the Brandt, Fabian, Brecher, Bolognino, Randforce, Casey & Wheeler, Century and Prudential circuits.

Mo. Bill Planned to End Triple Features

St. Louis, Feb. 18. — The Better Films Council of Greater St. Louis, which has launched a drive against triple bills, is planning to introduce a bill in the Missouri legislature now in session to limit the length of performances in theatres.

Milton Napier, attorney for the council, said he has been instructed to prepare a draft of the bill, the provisions of which "will conform to the best medical advice." He said the council "almost at the end of the rope in its crusade," is resorting to the legislation as a last resort in order to convince the exhibitors of the necessity of eliminating triple bills.

Legion Approves 7 Of Nine New Pictures

Seven of nine new pictures reviewed by the Legion of Decency have been approved, four for general patronage and three for adults, and two have been classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Father's Son," "Golden Hooves;" "Petticoat Politics," "Wildcat of Tucson." Class A-2, Unobjectionable for Adults—"Murder Among Friends," "The Trial of Mary Dugan," "The Wagons Roll at Night." Class B, Objectionable in Part—"Back Street," "Hatred."

Managers Shifted By Circuit in N. C.

Columbia, S. C., Feb. 18.—T. Grayson Poats, former manager of the Ritz here, has been transferred to Rockingham, N. C., as city manager for three houses. Succeeding Poats at the Ritz is Curtis H. Mees, who has been manager of the Strand in Columbia, and replacing Mees as manager of the Strand is Jack Jordan, formerly assistant manager of the Palmetto. Tom Allen, formerly assistant manager of the Ritz, succeeds Jordan at the Palmetto. Allen's post at the Ritz has gone to Frank D. Bryant of Marion, S. C.

Cartoon Book Out Soon

Foundation Books will publish shortly "How to Make Animated Cartoons," written and illustrated by Nat Falk, with a foreword by Paul Terry.

Republic to Start Meetings on Coast

Hollywood, Feb. 18.—First of a series of Republic regional sales meetings will be held at the studio here Feb. 27 to 29, to set plans for the last quarter of the current sales year. Plans are being made by James R. Grainger, president, and H. J. Yates following Grainger's arrival here today.

All exchange managers, salesmen and bookers at Coast exchanges, and J. T. Sheffield, Republic franchise owner in the Northwest, are expected to attend the meeting here, at which M. J. Siegel, production chief, will sit in.

Grainger will then leave to conduct sales meetings in the South, Midwest, East and in Canada.

Hearings Held On Delivery Services

Albany, Feb. 18.—The Public Service Commission held a public hearing here yesterday on charges that the State Film Delivery, Inc. had operated its trucks beyond limits set in its franchise as a motor carrier.

State Film Delivery, Inc. contended through its attorney that it was forced to extend operations because Smith & Howell Delivery discontinued part of its service. Testimony of George E. Thornton, Saugerties exhibitor, was introduced in this phase.

Tri-States Moves Kinsky and Grove

Des Moines, Feb. 18.—G. Ralph Branton, general manager of Tri-States Theatre Corp., has appointed Joseph Kinsky, district manager in the Davenport territory, to manage the Omaha area and H. D. Grove, manager of the Fort Theatre in Rock Island, Ill., as manager of the Davenport district, following the resignation of Evert R. Cummings, Omaha district manager.

The district office at Davenport will be moved to the Fort at Rock Island.

K. C. Party Tomorrow

Kansas City, Feb. 18.—The first social affair in the local Variety Club's 1941 program, a dinner, is announced for Thursday. Hosts for this event will be Mr. and Mrs. C. A. Schultz, Mr. and Mrs. O. K. Mason and Mr. and Mrs. Robert Withers.

Exhibitor Problems Aired in Commons

London, Feb. 18.—The shortage of British films and other difficulties of English exhibitors were brought up in the House of Commons today as members questioned Oliver Lyttleton, president of the British Board of Trade.

Lyttleton replied that he has received representatives of the Cinematograph Exhibitors Association and has asked the Films Council to advise him of appropriate action to be taken in the situation.

It is understood that Harry P. E. Mears, president of the C.E.A., will ask for a meeting of all branches of the industry in the near future. The exhibitor organization is insisting that it is the duty of the Board of Trade to counter the current varying press reports by abandoning its policy of secrecy with regard to plans for the films industry and by making a public declaration of its intentions.

Bernfield Now Manager

Northampton, Mass., Feb. 18.—William P. Bernfield, for many years a theatre and film man in the Kansas City area, has taken over the management of the Calvin Theatre here. He is also handling publicity. In recent years Bernfield was exploitation representative for United Artists in the Midwest.

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Ask Nazis for News Of Hitler's Funeral

Following the offer made last Friday over German short wave to accept collect messages from American listeners on the type of Nazi broadcasts they would like to hear, RCA Communications has received a number for transmission. The messages, which were limited to 25 words, cost the Germans $2.19 each, and were accepted by RCA because the German station had promised to pay for them.

RCA declines to reveal the contents or the number of the messages transmitted, but it is reported that some are asking for programs givings news of Hitler's funeral, an explanation of Italian defeats in Africa, the Nazi viewpoint of the war and others in a similar vein.

Seek FM Station For Philadelphia

WASHINGTON, Feb. 18.—Plans for a new FM station at Philadelphia have been submitted to the Federal Communications Commission by the Gibraltar Service Corp. in an application for a construction permit to operate on 46,100 kilocycles with a coverage of 9,318 square miles with a population of 3,998,402.

Other applications received included the requests of Stations WABY, Albany, N. Y., for change of frequency from 1,370 to 1,210 kilocycles, and KICA, Clovis, N. M., for change of frequency from 1,370 to 1,210 kilocycles and increase of power from 100 to 250 watts.

The commission announced that it had tentatively set March 6 as the date for a hearing on the contesting applications of Stephen R. Rintoul for a new 1,370-kilocycle, 250-watt station at Stamford, Conn., and Station WGNY, Newburgh, N. Y., for change of frequency from 1,370 to 1,220 kilocycles and extension to time from day to unlimited; and March 28 for hearing on the application of Station KGNO, Dodge City, for increase of night power from 250 to 500 watts.

Amusement Guide For K.C. Soldiers

KANSAS CITY, Feb. 18.—The first issue of a "Service Men's Amusement Guide," to be published weekly by the Kansas City Women Volunteers, Inc., for National Defense, is ready. It is a 10-page folder, pocket size. The cost of preparation and printing is covered by charges for pages devoted to downtown first run picture theatres announcing their programs, and other amusement information for soldiers.

Fire in Philadelphia

INDIANAPOLIS, Feb. 18.—The Tacoma, 500-seat neighborhood house operated by Alf J. Ackerman, was damaged by fire today. No one was in the theatre at the time.

Off the Antenna

THE plan by which the New York *Post* was to have been merged with the Brooklyn *Eagle* has been abandoned, it has been learned.

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Continuance for five more years of the "America's Town Meeting of the Air" over NBC-Blue was arranged yesterday.

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Around the Country: Three members of the WLW, Cincinnati, staff became fathers during the past week. They were Eugene Patterson, short wave program manager; Charles Wayne, rural broadcaster, and Buddy Ross, who is heard on "Boone County Jamboree" . . . Lowell MacMillan, WHEC, Rochester, sportscaster, who gave up a music career for sports announcing, will return to music Sunday when he sings with the Rochester Civic Orchestra . . . John Nesbitt, language professor at Grove City College, has begun a series of news programs over WCAE, Pittsburgh, sponsored by Olsen Homes . . . Dwight A. Myer, formerly in charge of WBZ, Springfield, Mass., technical operations, has been appointed chief engineer of KDKA, Pittsburgh. F. M. Sloan succeeds Myer in Springfield . . . WWSW, Pittsburgh, is building a new control room to handle FM.

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Program News: *WOR will celebrate its 19th anniversary on the air on Saturday . . . For the fifth year, Joseph Martinson & Co. has signed a contract with WQXR for 13 weekly station break announcements for 52 weeks . . . Illinois Meat Co. has renewed "Play Broadcast" over four Mutual stations.*

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Purely Personal: *Edythe J. Meserand, who has been serving as secretary to Dave Driscoll, head of WOR special features, has been promoted to the special features staff. She was formerly with NBC and Hearst Radio and, in her new job, will be in charge of booking talks and activities of special interest to women . . . Tom Connolly, CBS manager of program promotion, will address the Alabama Bottlers Association at Gasden, Ala., tomorrow. Before his return he will visit the studios of WAPI, Birmingham . . . Edwin C. Hill, CBS news analyst, and James S. Appel, his manager, will speak to the Truck Fleet Owners Association at the Lord Baltimore Hotel, Baltimore, tomorrow . . . Samm Baker, producer of the "Quixie Doodle" show, is the father of a girl.*

Use Professionals For Camps: Equity

An immediate start of negotiations for the use of professional actors to entertain men in Army camps is urged in the current issue of *Equity*, official organ of Actors Equity. An editorial points out that plans for regular professional entertainment will take a considerable period for formulation and asks that they be started at once.

Declaring that the men are frequently told that they deserve "nothing but the best," the editorial continues, "In this instance it is entertainment and Equity feels and the men know that the best in entertainment is professional entertainment and they will not be satisfied with anything less, though they may have to take what they can get."

The Equity council yesterday set March 28 at 2 P.M. as the time for the next quarterly membership meeting, to be held at the Hotel Astor. The principal business will be the election of a nominating committee of six members. The remaining three members of the committee are selected by the council.

To Reelect Abernathy

PITTSBURGH, Feb. 18. — President Leo Abernathy of the International Alliance of Billposters, Billers and Distributors, was assured reelection for a fourth term as head of the Central Labor Union, when his opponent, Hunter Wharton, withdrew.

'Train' Set for S. A.

Distribution of the English film, "Night Train," in Central and South America, excluding British territories, will be handled by 20th Century-Fox, which is releasing the film here, Walter J. Hutchinson, director of foreign distribution, said yesterday.

Sues for Costs of Ohio Games Action

TROY, O., Feb. 18.—Andrew Attenweiler, who, as a taxpayer, brought suit nearly two years ago against the Troy Amusement Co., seeking $500 exemplary damages and $10 as refund of admissions to the Mayflower, at which house he also sought to stop games on the ground of violation of the Ohio lottery law, has filed suit in Common Pleas Court against the same defendants for $1,410.72 as principal, surety on bonds and attorney fees in the original action.

He claims to have suffered damages totaling $487.50, and incurred liability to his counsel, Michael E. Morris, for $923.22.

Pa. Town Clamping Lid Shut on Games

WILLIAMSPORT, Pa., Feb. 18.—Deadline for clubs and organizations operating games in Lycoming County to end their activities was last night, according to a ruling made from the office of District Attorney Charles S. Williams. The action outlawing the games was taken by the county officials, it is understood, after city authorities failed to take decisive steps.

Several months ago the district attorney ruled that games constitute a form of gambling and are in violation of existing Pennsylvania statutes.

Exempt from Taxes

MEXICO CITY, Feb. 18.—Coahuila State, an important north central region, has decided to assist all radio stations in its territory by exempting them from the state tax. This exemption will be of particular benefit to the stations in Coahuila's largest cities, Saltillo, the capital, Piedras Negras, on the American border, and Torreon, center of Mexico's cotton industry.

$75,000 Reported As Debt of AGVA

The American Guild of Variety Artists is now in debt to the extent of $75,000, Gerald Griffin, who has been named temporary administrative chairman of the union, declared yesterday. Administration expenses, especially in setting up of out-of-town locals, were the biggest factor in the accumulation of the huge deficit, Griffin said.

Organizational work will be resumed at once, he asserted, with executive secretaries of various locals throughout the country now in New York to aid the AGVA national board in planning a campaign.

Griffin was named administrative chairman following the ouster last week of Hoyt Haddock as executive secretary and the subsequent resignation of Dewey Barto, union president. Elections of new officers will take place in not less than 30 nor more than 60 days, Griffin said.

Griffin is serving without pay. He is a member of the national board and was one of the majority group which voted for Haddock's ouster.

Singer Signs With A.G.V.A. in Midwest

CHICAGO, Feb. 18.—Mort H. Singer has signed a closed shop contract with the A.G.V.A for all his theatres, it was announced today by Jack Irving, president of the local guild. Singer operates theatres in the Midwest and is a Paramount partner in Minnesota.

AGMA to Appeal Petrillo Decision

The American Guild of Musical Artists yesterday filed notice of its intention to carry its injunction suit against the American Federation of Musicians to the Court of Appeals. The New York Appellate Division last month reversed a Supreme Court decision and dismissed AGMA's suit.

The suit was brought last August to restrain enforcement of an order by James C. Petrillo, A.F.M. president, that all instrumentalists who are members of AGMA must resign from that union and join the A.F.M. Petrillo set Labor Day, 1940, as the deadline for joining the A.F.M. but the suit prevented enforcement of the order.

In the event the dismissal is upheld by the Court of Appeals, all concert instrumentalists will be compelled to join the A.F.M. or be prevented from appearing in any entertainment field where the musicians' union has contracts. AGMA has appealed for assistance to other performers' unions in the Associated Actors and Artistes of America but no action has been taken other than general pledges of support.

Bill Bans Machines In Minnesota Bars

MINNEAPOLIS, Feb. 18.—Representatives Andrew U. Hayforth and William Huntala today introduced in the Minnesota legislature a bill prohibiting operation of film coin machines in places selling beer or liquor or both. The bill also would prevent the operation of films as entertainment without revenue.

The latter provision is aimed at the projection of 16mm. films subjects, as a free show by the management of any establishment. Coin machines have begun to filter into a number of bars here.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 35 NEW YORK, U. S. A., THURSDAY, FEBRUARY 20, 1941 TEN CENTS

Complaint Is Filed With N.Y. Local Board

Brooklyn Theatre Names 5 Major Companies

First complaint filed for arbitration with the New York local board under the Federal consent decree has been brought by the Hilary Theatre Corp., operating the Regent, Brooklyn, and names all five consenting distribution companies.

The complaint, which was filed by Albert Margulies, secretary of the Hilary company, with Charles S. Wall, clerk of the local arbitration board, seeks the elimination of the seven days' clearance which is accorded the competing Apollo over the Regent.

The complainant contends that the Regent played day and date with the Apollo up to the time of an N.R.A. decision establishing the seven-day clearance. It contends that the houses are situated one mile apart and that the Regent's admission scale is five

(*Continued on page* 4)

Fear New Break in Italian Agreement

Fear that other producers or distributors may breach the "gentleman's agreement" not to sell films to Italy was expressed in trade circles here yesterday following disclosure that a deal has been made with an Italian agent for the Italian distribution rights to two David O. Selznick productions.

It is known that Italy has been anxious to obtain Walt Disney's "Pinocchio" and also has made overtures to Columbia and Universal in the past for bulk product.

United Artists, which represented Selznick in the deal with Renato Sechia, described as an Italian trade representative in this country, said that the deal was closed about two months ago. The price of $32,000 was paid by Sechia for the Italian

(*Continued on page* 4)

Reviewed Today

Reviews of "Ridin' the Cherokee Trail" and "Queen of Crime" will be found on Page 4.

Kirsch Proposes Arbitration Bureau To Illinois Allied

Chicago, Feb. 19.—Jack Kirsch, president of Allied of Illinois, today proposed to the organization's annual meeting that it set up a central complaint bureau which will instruct members in the procedure for filing arbitration cases under the Federal consent decree, and to advise exhibitors on their rights and benefits under the decree.

All present officers and directors were reelected at the meeting, held at the Congress Hotel. Kirsch's three-year contract as president has two years to run, and he therefore was not a candidate. Others reelected were Van Nomikos, vice-president; Richard Salkin, secretary and treasurer, and Harry Nepo, sergeant-at-arms.

May Regulate Coin Films

In his annual report, Kirsch disclosed that a contract had been signed by Allied with the Chicago Theatrical Janitors' Union, Local 25, calling for a wage increase of five per cent, retroactive to Jan. 1.

Kirsch said that the police censor board has indicated that it will insist all coin machine films be passed on by the board. A special license for the machines, costing much more than the license for music machines, may be enacted by the city council, Kirsch stated.

Print 'Railroading' Stopped

The constant campaign by Allied to have exchanges discontinue the "railroading" of prints has resulted in the virtual elimination of this practice in Chicago, it was reported by Kirsch.

All members at the meeting signed pledges of cooperation with the industry's committee on national defense.

ASCAP-U.S. DECREE OPENS WAY FOR RADIO ACCORD

Provides for Optional 'Per Program' or Blanket License, Clearance at Source, One-Song Membership Requirement

By **SHERWIN A. KANE** and **EDWARD GREIF**

The Ascap board of directors yesterday approved the proposed Federal consent decree which, when entered in U. S. District court here in the near future, will end the New York anti-trust suit pending since 1934 and the Government's recent criminal action against the society in Federal court at Milwaukee.

Final acceptance of the decree on the Government's part rests with Thurman W. Arnold, assistant U. S. Attorney General, who initiated the Ascap prosecution.

While Ascap's acceptance of the decree is regarded as opening the way for the beginning of negotiations with the networks for new Ascap license agreements, broadcasters displayed little inclination yesterday to hasten the start of such negotiations. Their declared attitude

(*Continued on page* 8)

Thurman Arnold

Decree Highlights

Broadcasters have option of paying for music on "per program" or blanket basis. Stations will pay only for programs using Ascap music.

On network programs, entire fee will be paid by originating station.

Ascap members permitted to deal directly with music users, but royalties will be distributed by Ascap's formula.

Ascap board vacancies to be filled by membership election, instead of by the board.

Requirement for Ascap membership is one published song, instead of five as at present.

Government to terminate its 1934 anti-trust suit pending in New York and the one brought recently in Milwaukee.

Strict Nazi Film Control Is Exercised in France

London, Feb. 19.—Rigid control and censorship of the French film and theatre industry by Nazi military authorities in occupied France has been established, according to information reaching London.

Under Nazi control, foreigners and Jews are excluded from positions of importance in the industry. The distribution of newsreels and instructional films supervised by Nazis is being extended and the type and trend of French films is being influenced.

The new regulations state explicitly that the censorship will not be merely passive but has been designed to guide the work of producers. Nothing likely to embarrass the French or German Governments or the Nazi military command will be permitted in French productions or newsreels.

The position of Marshal Petain must be treated with scrupulous care and there must be no mention of the German army, navy or air force, or the disposition or movement of troops. No allusion to General de Gaulle or to Great Britain is per-

(*Continued on page* 4)

Majors Again Weigh Short-Wave to S. A.

A sub-committee representing major company foreign publicity departments has been appointed to re-explore the advisability of industry participation in short-wave broadcasts to South America on a commercial basis.

The committee includes Dave Blum, Loew's; Jerry Keyser, Warners; Fortune Baronat, Universal, and Kenneth Clark, representing the M.P.P.D.A. The sub-committee is charged with examining the entire question of industry participation in the Latin American broadcasts and the formulation of a practicable plan, if participation is considered advisable.

Should a plan be developed and approved by the complete committee of foreign publicity managers it will then be submitted to the heads of

(*Continued on page* 4)

Coast Flashes

Hollywood, Feb. 19

PROSPECT of a settlement caused the deletion from the Federal district court calendar in Los Angeles today of the damage suit brought by Lou Bard's Colcata Corp. against Fox West Coast and major distributors for alleged refusal to permit the Colorado Theatre in Pasadena to obtain "satisfactory" product.

•

Republic today shifted the dates of its Coast regional quarterly sales meeting from Feb. 27-28 to Feb. 24-25. The new schedule calls for the Midwest meeting to be held in Kansas City Feb. 27-28; the Southern session in Atlanta March 3-4; Eastern in New York, March 6-7, and the Canadian in Toronto on April 1.

•

George West, Monogram franchise holder in St. Louis, Kansas City and Cincinnati, has arrived here from New York for an extended stay.

Some Smiths Attend Music Hall Opening

Some notable Smiths of New York and vicinity will attend the premiere of the RKO film, "Mr. and Mrs. Smith," this evening at the Radio City Music Hall, as guests of A. W. Smith, Jr., sales manager of RKO.

Among the Smiths invited to the party are Mr. and Mrs. Al Smith, Al Smith, Jr., Kate Smith, Horton Smith, golfer, and Fred Smith, who founded the "Fred Smiths of America."

Hellinger Resigns

HOLLYWOOD, Feb. 19.—Mark Hellinger, Warners associate producer, has submitted his resignation to the studio. He said he probably would remain until his next assignment, "Hard to Get," is completed. His contract has a year and a half to run.

Personal Mention

E. K. O'SHEA, central division manager for M-G-M, returned yesterday from a tour of exchanges in his territory.

•

WALTER GOULD, United Artists foreign manager, will leave for Florida today for a vacation.

•

JOHN W. HICKS, Paramount vice-president and foreign manager, returned to New York yesterday from the Midwest.

•

DENNIS F. O'BRIEN, United Artists' counsel, will leave for the Coast tomorrow for a three weeks' stay, combining business and a vacation.

•

JESSE GOLDBURG arrived here yesterday from the Coast.

•

LESTER PARK is in town from California.

•

HAZEL KIRKBRIDE, secretary to W. E. GREGORY of Altec Service Corp., and FRANK W. NELSON of H. J. GRIFFITH Theatres, were married recently at Junction City, Kan.

•

FRANK CULP, veteran Denver exhibitor, is recovering after two operations.

•

HARRY GOODRICH, manager of the Fox Ogden in Denver, is vacationing in California.

•

EMERSON YORKE will leave for Boston today.

•

OSCAR LEVANT returns tomorrow from the Coast.

JACK MOSS, Walter Wanger production executive, is in town from Hollywood.

•

GEORGE BATCHELLER, supervisor of production for Producers Releasing Corp. and ADELE PALMER, Republic costume designer, will be married on the Coast in June.

•

JOHN A. SCHWALM, manager of the Northio Circuit's Rialto at Hamilton, O., left this week for a vacation in California.

•

JACK HIVELY leaves for the Coast tomorrow.

•

MONROE GREENTHAL, EDWARD PESKAY, SAM TULPAN and RUBE JACKTER lunching at Lindy's (next to the Rivoli) yesterday.

•

MOE STREIMER, CHARLES PAINE, ALAN FREEDMAN and SAM CITRON lunching at the Tavern yesterday.

•

JOSEPH MOSKOWITZ, ARTHUR GOTTLIEB, J. J. MILSTEIN and JACK GOETZ at Lindy's (51st St.) yesterday for lunch.

•

WILLIAM F. RODGERS, OSCAR DOOB, GEORGE SKOURAS, RUSSELL HOLMAN, JOHN W. HICKS, ADOLPH ZUKOR and LOU DREYFUS having lunch at Nick's Hunting Room yesterday.

•

OTTO PREMINGER, MAX GORDON, RUSSEL CROUSE, FRANCES FARMER, BETTY FIELD, ROBERT MILTON and LUTHER ADLER having lunch yesterday at Sardi's.

Wilkie Theft Victim

A few minutes after Al Wilkie, Paramount publicity manager, returned from a Florida vacation yesterday morning by car, the contents of his parked automobile were stolen in downtown Manhattan. The theft, which included his luggage, was reported to the police.

FLY A HIGHER SKYWAY
To LOS ANGELES $149.95

TWA 4-Engine Stratoliners fly higher. Up there, the air is calmer, flight is smoother, travel faster. It's only 15 hours, 38 minutes to Los Angeles, when you fly the "Super Sky Chief," TWA's Transcontinental Stratoliner.

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ROUTE OF THE STRATOLINERS
TWA The TRANSCONTINENTAL Airline

Expect 600 at Party Of Columbian Club

About 600 persons, including many New York exhibitors and Columbia executives, are expected to attend the 11th annual dinner dance of the Columbian Club in the grand ballroom of the Waldorf-Astoria Saturday night. Harry Hershfield will be master of ceremonies. Screen and stage players will entertain.

Columbia Releasing Short from England

"This Is England," British short subject recently brought over by Harry Hopkins, emissary of President Roosevelt, is to be released by Columbia, the company announced yesterday. Edward Murrow, London commentator for CBS, does the narration for the subject.

Dee Lowrance to NEA

HOLLYWOOD, Feb. 19.—Dee Lowrance has resigned from the Paramount Studio publicity department to become associated with the Newspaper Enterprise Association.

CHANGE TO ALTEC SERVICE
..A CHANGE FOR THE BETTER
ALTEC
SERVICE CORPORATION
250 West 57th Street • New York City

Snakes Alive!

Tom Waller, Bob Gillham's big game expert at Paramount, is said to be the instigator of a press party the company is giving today on behalf of the new film, "The Lady Eve." The chief guest is a snake, borrowed for the affair from one of the zoos. It will go on exhibition for the press at the Club Copacabana, sometime around 4 P. M. The snake is a 52-inch reptile of the king variety. will be locked up, of course, in a box of golden hue.

War Story Parallels Wanger Film Theme

The New York *Post* yesterday carried a United Press story from London indicating that Netherlands authorities in London are investigating a report that Jonkheer Dirk Jan de Geer, former Dutch premiere, had been kidnaped in Portugal and taken to Germany by plane.

The story, in a bracketed editor's note, points out that the de Geer report parallels the "fantastic situation" in the United Artists-Walter Wanger film, "Foreign Correspondent," in which a Netherlands Government official, "Van Meer," is abducted by the Nazis and tortured.

Mulhall Into Army; Morgan Gets Post

PHILADELPHIA, Feb. 19.—John L. Mulhall, Warner Theatres suburban district manager, has been called into the Army with the rank of Captain, and has been ordered to Fort Bragg, N. C.

During Mulhall's absence, his place will be taken by William Morgan, manager of the Grand, Vineland, N. J. Mulhall's territory included Chester, Westchester, Ambler, Willow Grove and Reading, Pa., and Wilmington, Del.

Briggs Due in March

O. Henry Briggs, president of Producers Releasing Corp., is expected to leave the Coast March 1, stopping off for visits with franchise holders en route East.

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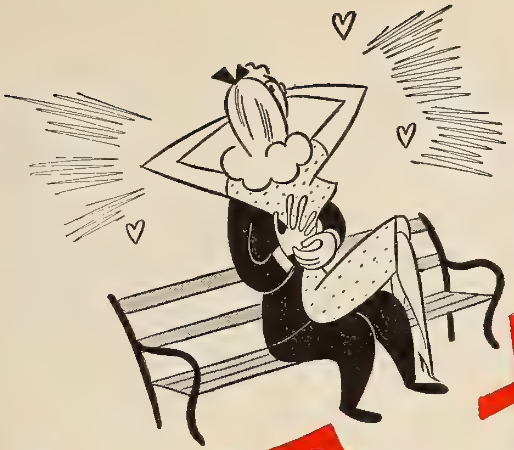
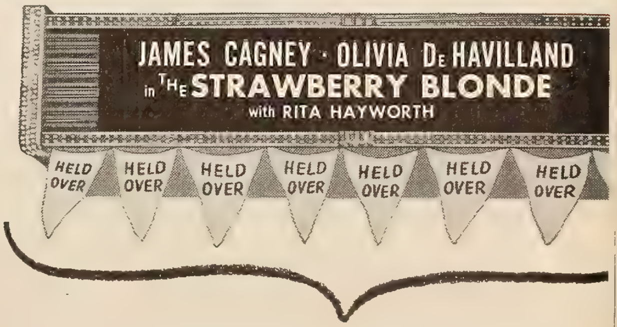


You too can hold the Strawberry Blonde!


JAMES CAGNEY · OLIVIA DE HAVILLAND
in THE STRAWBERRY BLONDE
with RITA HAYWORTH
HELD OVER
HELD OVER
HELD OVER
HELD OVER
HELD OVER
HELD OVER
HELD OVER

EVERYBODY'S DOING IT!

Warners again!

also ALAN HALE • JACK CARSON • GEORGE TOBIAS • Directed by RAOUL WALSH

Screen Play by Julius J. and Philip G. Epstein • From a Play by James Hagan

Complaint Is Filed With N.Y. Local Board

(Continued from page 1)

cents more than the Apollo's, making the clearance in the Apollo's favor unwarranted.

The Apollo is operated by Argosy Amusement Corp. (George Stamatis) as part of the Cocalis circuit.

First N. O. Case Filed

NEW ORLEANS, Feb. 19.—The first demand for arbitration filed with the local board was made today by Charles K. Woolner, president of Modern Theatres, Inc., operator of a drive-in theatre here. Woolner's complaint charges Paramount with refusing to license his open-air theatre on Canal Drive for "some" run.

Colorado Overbuying Case

The first complaint filed with the Denver arbitration board, which was reported in *Motion Picture Daily* yesterday, asks a redistribution of product between Joseph J. Goodstein's Longmont and the Fox, at Longmont, Colo. The complainant, Goodstein, charges that the Fox Intermountain house is overbought and can't use its entire film supply.

Goodstein charges that the Fox house has exclusive contracts with 20th Century-Fox, Loew's Paramount, Universal, Columbia, United Artists and Monogram, whereas his theatre has insufficient product available from only Warners, RKO and Republic.

Strausberg Wins Stockholder Suit

N. Y. Supreme Court Justice Samuel Hofstadter has dismissed a minority stockholders' suit against Samuel Strausberg, head of Interboro Theatres, Inc., of Brooklyn. The suit was instituted in 1937 and alleged that certain changes in stock ownership had been brought about through fraud.

Justice Hofstadter, after a lengthy description of the financial transactions involved, pointed out that the plaintiffs, Abraham Werbelovsky, Samuel Small, William Small, August Small, Mendel Lerner and Harry Gross, had apparently been "satisfied with the result, but now that the financial prospect of the new corporation has become brighter, due in great part to the effort and attention of Strausberg, they seek to undo what they had previously consented to and acquiesced in."

In dismissing the suit, Justice Hofstadter also observed, "We are dealing here with a close corporation whose few stockholders are shrewd and suspicious business men who gave no impression on the witness stand of being either guileless or credulous. They met frequently and took an active interest in the affairs of the corporation and whatever they did or consented to was scrutinized carefully by counsel of their own choosing before action was taken."

Feature Reviews

"Ridin' the Cherokee Trail"

(Monogram)

Hollywood, Feb. 19

"ARKANSAS SLIM" Andrews and the "Tennessee Ramblers" are featured in this nineteenth of the Monogram westerns starring Tex Ritter. The five "Ramblers" are also known as the "Arizona Ranch Hands," and are heard over radio station WBT in Charlotte, N. C.

Ritter and "Slim," Texas Rangers both, cross the border into the Cherokee Strip and finally manage to bring to justice the territory's ruling spirit, who fancies himself czar of the neighborhood, and is preventing attempts to bring the Strip into Oklahoma Territory. Forrest Taylor interprets the character, which is somewhat overdrawn in the writing.

Eight songs are heard, four written by Jack Gillette and Harry Blair; one by Andrews; another by Ritter and Andrews; one by Jack Smith, and one by Johnny Lange and Lew Porter. Rounding out the cast are Batty Miles, Jack Roper, Fred Burns and Bruce Nolan.

Edward F. Finney produced and Spencer G. Bennett directed the film.

Running time, 62 minutes. "G."*

W. S.

"Queen of Crime"

(Film Alliance)

THIS is an Edgar Wallace story produced in England about three years ago, with two Hollywood players who will be immediately recognized, Genevieve Tobin and Noel Madison, and with various Britons with whom audiences are not so familiar. Reginald Denham directed.

It is an improbable melodrama which concerns Miss Tobin, as a gang leader directing a big gold robbery, and a Scotland Yard detective, Jack Hulbert, who strives to be funny on every occasion, but without marked success. Moreover, many of his speeches are not carried clearly enough, resulting in what sounds like a British version of Broadway double talk. The photography about meets requirements.

Running time, 55 minutes. "G."*

**"G" denotes general classification.*

Strict Nazi Film Control in France

(Continued from page 1)

mitted and there must be no polemics about the armistice with France, it is said.

If reference is made to diplomatic news, the only versions to be quoted are those issued by the German official news agency or given in German broadcasts in French.

Similar prohibitions are enforced under the new regulations in respect to theatres and music halls. No news originating in unoccupied France may be used without the approval of the German military press bureau.

Early Player Dies

OAKLAND, CAL., Feb. 19.—William M. MacDowell, screen player of the early silent days, died here today at the Masonic Home at the age of 84.

Majors Again Weigh Short-Wave to S. A.

(Continued from page 1)

major company foreign departments for consideration.

The present consensus of the committee is that participation in commercial short wave broadcasts is impractical from a business viewpoint at this time but might be worthwhile as an industry gesture on behalf of the Government's desire for improved relations between North and South America.

Blumenthal Producer

HOLLYWOOD, Feb. 19.—Richard Blumenthal, assistant for several years to Arthur Hornblow, Jr., Paramount producer, has been appointed associate producer for Paramount.

Mexican Trade Hopes for Better Labor Relations After Convention

Mexico City, Feb. 19.—The Mexican film industry is looking forward hopefully to better labor relations following the annual convention of the Confederation of Mexican Workers, which opens here Feb. 25.

The industry hopes are built on reports that a majority of the organizations which make up the Confederation have promised to vote for Fidel Velazquez, now Confederation publicity chief, to replace Vincente Toledano, head of the organization for many years. It is believed that Confederation policies will be decidedly less radical with Toledano replaced. Labor difficulties have been a serious problem to the industry for the past several years.

Jan. Tax Revenue Off to $6,583,278

WASHINGTON, Feb. 19.—Federal admission tax collections last month touched the lowest figure for any month since September, $6,583,278, but while $70,693 under the December total of $6,653,971, remained $5,096,743 above the January, 1940, receipts of $1,486,534, it was reported tonight by the Internal Revenue Bureau.

Collections for the first se[illegible] months of the current fiscal year, [illegible] of them reflecting the increased revenue from the reduction of the exemption from 40 to 20 cents, reached a total of $38,898,819, an increase of $26,692,200 over the $12,206,619 recorded for the corresponding period a year ago, it was announced.

Broadway Increase

Contrary to experience nationally, collections in the Third New York (Broadway) District showed an increase last month, totaling $1,287,553 against $1,193,461 in December, it was stated. The improvement was due to an increase in box-office collections from $1,109,505 to $1,212,546 and on brokers' sales from $12,610 to $15,888.

Receipts from tickets sold by proprietors in excess of established prices, on the other hand, dropped from $155 to $151; permanent use or lease of boxes and seats from $25 to $5, and admissions to roof gardens and cabarets from $71,167 to $58,962.

January collections in the Broadway sector were well over $1,000,000 above the $192,233 reported for that month last year, it was shown.

Fear New Break in Italian Agreement

(Continued from page 1)

rights to "Rebecca" and "Intermezzo" for five years.

The deal was a cash transaction. It gives the purchaser the right only to show the pictures in Italy and the purchaser is to pay the print cost.

Selznick was said to have broached the subject of the sale to trade officials here last Summer, giving as his reason his desire to dispose of the rights in order to aid in the liquidation of Selznick-International Pictures, which was in progress at that time.

Budd Rogers, representative here for British producers, has been mentioned in connection with the deal, but yesterday he denied any association with it.

The M. P. P. D. A., which has strongly supported the trade agreement against doing business with Italy since the Italian film industry was made a Government monopoly more than two years ago, said that it had not been informed that the deal had been closed. It was stated that the "gentleman's agreement" was still in effect and it was hoped that it would continue so.

'Dictator' in Phila.

PHILADELPHIA, Feb. 19. — "The Great Dictator" will have its regular run here at the Stanton, first run Warner house. It will open March 8, for an extended run. It played the Aldine on a two-a-day basis last Fall.

INTELLIGENCE IN MOTION PICTURE ADVERTISING

by Kenneth Collins

Mr. Collins, assistant to the Publisher of the New York Times, was formerly Publicity Director of Macy's and Gimbel's and is author of many books on advertising. He is recognized as a noted authority on selling and merchandising.

SOME ten years ago, I did a very rude thing. I addressed a group of motion picture advertising people, and told them that I thought the advertising for the movies was about the worst in the country. I was particularly rude because I had just eaten lunch at their expense, and had been invited to tell them pleasant things. But I said what I thought was then true.

I couldn't make that talk today. For a number of years, I've watched moving picture advertising with increasing admiration. And in Twentieth Century-Fox's current campaign for TOBACCO ROAD, I see what to me is a particularly intelligent series.

Now, in the last analysis, intelligent advertising is the kind of copy that "sells the goods." In the case of moving picture theatres, it's the kind that makes people buy tickets. I think this campaign will do just that.

Nearly every adult in the United States has heard about the play TOBACCO ROAD. As a matter of fact, it has been presented on stages in all but six states of the Union, so an advertising campaign about the play itself is not now necessary. The important thing is that TOBACCO ROAD is now on the screen.

This series of advertisements sells that idea. It starts from the assumption that most people know about the play, want to see it, and then lets them realize that at last it is available in their favorite moving picture theatres.

Thus the advertising problem becomes chiefly one of circulation. Twentieth Century-Fox apparently realized this and set out to get the greatest possible circulation, using every medium to tell the people in the metropolitan area that TOBACCO ROAD was coming to the Roxy screen.

As an advertising man, I'm particularly gratified with the excellence of the photos and the strong dramatic nature of the layouts. It is my belief that the exhibitors who follow the New York campaign will meet with tremendous success.

P. S. **NEW YORK'S "TOBACCO ROAD" CAMPAIGN—INCLUDING THE ENTIRE SERIES OF ROXY ADS WHICH MR. COLLINS LIKES SO MUCH—NOW AVAILABLE IN A SENSATIONAL 16-PAGE SHOWMANSHIP MANUAL WHICH IS THE TALK OF THE TRADE! ASK FOR IT—AT YOUR 20TH CENTURY-FOX EXCHANGE!**

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 24		Wild Man of Borneo (C) Land of Liberty (D)	You're Out of Luck (D) *Frankie Darro* *M. Moreland*	Aldrich Family in Life with Henry (C) *Jackie Cooper*	Ridin' On a Rainbow (O) 044 *Gene Autry*	Saint in Palm Springs (D) 116 *George Sanders* *Wendy Barrie*	Tall, Dark and Handsome (C) 128 *Cesar Romero*	Road Show (C) *Adolphe Menjou* *Carole Landis*		High Sierra (D) 556 *H. Bogart* *Ida Lupino*
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) 010 *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) 520 *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*		You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) 020 *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	Trial of Mary Dugan (D) 125 *Robert Young*	The Kid's Last Ride (O) Range Busters	The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	The Phantom Cowboy (O) 075 *Don "Red" Barry*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) 126		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) 065 *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*	Cheers for Miss Bishop (D) *Martha Scott* *William Gargan*	Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	In Old Colorado (O) *William Boyd* *Russell Hayden*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*	Citizen Kane (D) 118 *Orson Welles*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) 4020 *Allan Jones*	Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) *C. Grapewin* *Gene Tierney*		Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14	Penny Serenade (C) *Cary Grant* *Irene Dunne*	The Penalty (D) *L. Barrymore* *Edward Arnold*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*		Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Model Wife (C) *Joan Blondell* *Dick Powell*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*	Ziegfeld Girl (M) *Stewart-Lamarr* *Turner-Garland*	Sign of the Wolf (D) *Grace Bradley* *Louise Beavers*	The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) *Walter Huston* *Jane Russell*		Double Date (D) *Peggy Moran* *Rand Brooks*	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	At the Villa Rosa (D) *Judy Kelly* *Kenneth Kent*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) *Sidney Toler* *K. Aldridge*		Lady from Cheyenne (O) *L. Young* *Robert Preston*	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4				Border Vigilantes (O) *William Boyd* *Russell Hayden*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Mutiny in the Arctic (D) Man-Made Monster (D)	
Apr. 11				Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) *Judy Canova*	Devil and Miss Jones (C) *Jean Arthur*	That Night in Rio (M) *Alice Faye*		Flame of [illegible]w Orleans [illegible] *M. Diet[illegible]ch*	

PARAMOUNT SHORTS... do more than fill the bill... they fill your seats!

February 7
Grantland Rice Sportlight
'ACROBATIC ACES'

February 14
An Animated Antic
POP and MOM in
'WILD OYSTERS'

February 21
Gabby
Color Cartoon
'TWO FOR THE ZOO'
(Technicolor)

February 21
Magnacolor
'POPULAR SCIENCE No. 4'

Paramount Pictures

100% BOX OFFICE

'Wind' Pulls Big $21,500, Philadelphia

PHILADELPHIA, Feb. 19. — "Gone With the Wind" continued big at the Stanley with $21,500 for its third week. "Philadelphia Story" drew $15,000 at the Boyd for the fourth [illegible] Sammy Kaye's orchestra on the stage drew $23,500 at the Earle with "Six Lessons from Madame La Zonga."

Estimated takings for the week ending Feb. 12-14:

"Love Thy Neighbor" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd week, 2nd run. Gross: $3,000. (Average, $2,600)

"Philadelphia Story" (M-G-M)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days, 4th week. Gross: $15,000. (Average, $13,000)

"Six Lessons From Madame LaZonga" (Univ.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Sammy Kaye's orchestra, Tommy Ryan, Charlie Wilson, Jimmy Brown, Arthur Wright, Three Kadets, Statler Twins, Chris-Cross & Looie, and The Nonchalants. Gross: $23,500. (Average, $14,000)

"Ride, Kelly, Ride" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Maxine DeShon, Irma Vogelee, Don Arras, Smith-Rogers & Eddy, Bobby Pinkus and Ruth Foster, Marcus and Allen. Gross: $7,200. (Average, $6,900).

"High Sierra" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,400. (Average, $13,000)

"Little Men" (RKO)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $3,800. (Average, $3,000)

"Hudson's Bay" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,600. (Average, $4,500)

"Gone With the Wind" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $21,500. (Average, $14,000)

"San Francisco Docks" (Univ.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $6,000. (Average, $4,500)

'Back Street' Capital Winner with $17,000

WASHINGTON, Feb. 19. — "Back Street" drew a big $17,000 at the RKO Keith's. "The Philadelphia Story" took $23,000 at Loew's Palace. The weather was good.

Estimated takings for the week ending Feb. 13-14:

"The Philadelphia Story" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $23,000. (Average, $15,000)

"This Thing Called Love" (Col.)
WARNER'S EARLE — (2,200) (28c-39c-44c-66c-77c) 7 days. On stage: 8 Men of Melody, Ray & Trent, Gil Lamb, Linda Moody, Roxyettes. Gross: $17,800. (Average, $15,500)

"Road Show" (U. A.)
LOEW'S CAPITOL—(3,434) (28c-39c-44c-66c-77c) 7 days. On stage: Joe Howard, Wally Brown, Kanazawa Troupe, Rhythm Rockets. Gross: $12,000. (Average, $16,000)

"Back Street" (Univ.)
RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $17,000. (Average, $7,500)

"Victory" (Para.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $6,000. (Average, $4,500)

"Gone With the Wind" (M-G-M)
LOEW'S COLUMBIA—(1,250) (40c-55c) 7 days, 4th week. Gross: $5,500. (Average, $4,500)

Trenton House to Open

TRENTON, N. J., Feb. 19.—The RKO Reade's Trent Theatre will open here on Saturday, under the management of Walter Reade and the Trenton New Brunswick Theatres Co.

'Western Union' at $9,100, Providence

PROVIDENCE, Feb. 19. — "Western Union" and "Meet the Chump" got $9,100 at the Majestic, and "Gone With the Wind" in its third week at the Carlton took $4,500.

Estimated takings for the week ending Feb. 12-13:

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
RKO-ALBEE — (2,239) (28c-39c-50c) 5 days, 6th week. Gross: $4,500. (7-day average, $6,000)

"The Son of Monte Cristo" (U. A.)
"Phantom Submarine" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50) 7 days. Gross: $11,200. (Average, $11,000)

"Western Union" (20th-Fox)
"Meet The Chump" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $9,100. (Average, $7,000)

"Life With Henry" (Para.)
"Doomed Caravan" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $6,500. (Average, $6,000)

"Remedy For Riches" (RKO)
METROPOLITAN — (3,045) (28c-39c-55c 75c) 3 days. Stage show with Johnny (Scat) Davis and Orchestra, the Kidoodlers, Three Winter Sisters, Hoke & Poke, and Cortello's Canine Mimics. Gross: $4,700. (Average, $4,700)

"Golden Hoofs" (20th-Fox)
FAY'S — (1,800) (33c-39c-44c) 7 days. Stage show with Deep River Boys, Vic Hyde, Oriental Pastimes, Lewis and Lorraine, and Ballard and Rae. Gross: $4,100. (Average, $5,000)

"Gone With The Wind" (M-G-M)
CARLTON—(1,526) (29c-39c-50c) 3rd week. Gross: $4,500. (Average, $3,500)

"No, No, Nanette" (RKO) (3 days)
"Gallant Sons" (M-G-M) (3 days)
"Sante Fe Trail" (W. B.) (4 days)
"Comrade X" (M-G-M) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $2,000. (Average, $1,700)

Most Costly Film Is Planned in Mexico

MEXICO CITY, Feb. 19.—An ambitious picture has been started here by Miguel Zacarias, who has several successful films to his credit. This picture is to cost $85,000, the most yet spent for a picture made by Mexicans. It is to be 180,000 feet long and will be exhibited in two parts, with an intermission, something new for a Mexican picture.

This film is to be titled "Papa se Enreda Otra Vez" ("Papa Gets Into a Jam Again"). The picture is to be released late in April.

Neighborhood 'Wind' Run Is Set in Phila.

PHILADELPHIA, Feb. 19. — The neighborhood run of "Gone With the Wind" here will call for increased admissions. Opening March 21, at the approximate dozen key residential houses which played it last year, M-G-M has set a minimum scale of 24 cents for children and 40 cents for adults, including tax, for matinees, and 50 cents, tax included, for evenings. It will play three performances daily at these houses, on extended runs.

Select Closes Deal

Select Attractions, Inc., has closed for the production of six features by Myron C. Fagan in association with Celebrity Productions, Inc. Select will distribute the product.

Promoted by 20th-Fox

DALLAS, Feb. 19.—A. W. Lowe, has been promoted to manager of advertising accessories at the 20th Century-Fox exchange here, succeeding Robert Bandy, resigned.

Mexican Critics Vote Year's Best

Mexico City, Feb. 19.—The Newspaper and Magazine Film Critics Association has voted "Mala Yerba" ("Marcela") as the best domestic film of 1940. It was produced and directed by Gabriel Soria.

Fernando Soler was selected as the outstanding actor of the year, and Sara Garcia as the outstanding actress, and Ross Fisher, American, as the best cameraman.

Schroeder in New Post

Carl A. Schroeder, editor of *Screen Guide*, has been named supervising editor of *Screen Guide* and *Movie-Radio Guide*, succeeding Curtis Mitchell, who resigned yesterday. Marty Lewis has been named executive editor of *Movie-Radio Guide*. Schroeder will make his offices in Hollywood. Lewis will be located in Chicago.

'Wind' with $12,000 Indianapolis' Best

INDIANAPOLIS, Feb. 19.—"Gone With the Wind," playing at slightly higher than regular admissions, took a fine $12,000 in its second and final week at Loew's. "Back Street" and "Six Lessons from Madame La Zonga" took $7,500 at the Indiana.

Estimated takings for the week ending Feb. 14:

"No, No, Nanette" (RKO)
"The Invisible Woman" (Univ.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $5,600. (Average, $6,000)

"Back Street" (Univ.)
"Six Lessons from Madame La Zonga" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,500. (Average, $5,500)

"Gone With the Wind" (M-G-M)
LOEW'S—(2,800) (40c-55c) 7 days. 2nd week. Gross: $12,000. (Average, $7,000)

"Honeymoon for Three" (W. B.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Stars Over Hollywood Revue, featuring Simone Simon, Dorothea Kent, Eddie Foy, Jr., and Shirley Deane. Gross: $9,300. (Average, $8,000)

You'll call her The Box-Office Enchantress . . your opposition will call her That Hamilton Woman!

Ascap Decree Opens Way to Radio Accord

(Continued from page 1)

is that Ascap's acceptance does not make the decree final and, therefore, there is no hurry to begin negotiations.

The decree will become effective 90 days after its approval by the Federal court here. It will first be submitted to a general membership meeting of Ascap at the Hotel Astor tonight for ratification and, thereafter, must be approved and signed by the Department of Justice in Washington. It is expected that the decree will be handed up to the Federal court by the Department some time next week and a hearing date set for 10 days or two weeks later.

Supplementing the decree is an agreement under which Ascap is to pay a $5,000 fine and 19 of its music publisher members who are represented on the Ascap board of directors are to pay fines of $1,000 each, a total of $24,000, in the disposition of the criminal action at Milwaukee. There is a possibility that these fines may be suspended after being imposed by the court.

The decree permits Ascap to continue to function as a licensing agency for its members and to function as a collection organization for them as it has in the past, distributing the royalties collected according to its own distribution formula. However, the decree permits Ascap members to deal directly with users of their music if they prefer to do so, on condition that they notify Ascap of their election, and also that fees thus established be paid to Ascap for distribution by it.

Ascap Sole Agent

Ascap members are prohibited from appointing agents other than Ascap for the re-sale of their music rights and specifically prohibits Broadcast Music, Inc., from acting for Ascap members in that regard.

Annyone regularly practicing songwriting as a profession and having one published song to his credit is made eligible for Ascap membership. Heretofore, eligibility was on the basis of five published songs, although frequent exceptions were made to this rule by the society. The decree also orders that Ascap directors be elected by the general membership as the terms of the present directors expire, rather than by the board itself as has been the case.

The decree gives broadcasters the right to choose either a blanket or per program license from Ascap, in either case paying fees only for such programs as make use of Ascap music. It also directs that in the case of network broadcasts the entire music fee is to be paid by the originating station, and none by the interconnected stations.

In commenting on the decree, Gene Buck, Ascap president, said: "We are entirely willing to accept the guidance of the decree as to our future policies, and we feel that while we have been in complete disagreement with the Department of Justice as to the alleged illegality of any phase of our operations or policies which have for more than a quarter of a century remained unchanged, we nevertheless believe that on the whole the decree's conditions will clarify the whole atmosphere, and certainly we are very pleased to at last be operating in full accord rather than in constant disagreement with the Department of Justice."

No Objections by Buck

Buck continued that the society has "no objection whatever" to having directors elected by the membership; that this procedure has been suggested to the membership and rejected frequently in the past. He said that the society, also, had no objection to the new membership eligibility requirement nor to the optional per program license for broadcasters, asserting that such a plan has been offered by Ascap in the past and ignored by the National Association of Broadcasters.

Ascap, said Buck, was "especially pleased" over the requirement for payment at the source for network programs, that having been "a principal bone of contention" with the broadcasters in the new licensing agreement.

Neville Miller, president of the National Association of Broadcasters and BMI, yesterday issued a statement on the decree, saying in part: "We hope its effect will be to create an open and competitive market for music. Such a competitive market is, in our opinion, necessary if American creative genius is to have freedom of expression."

Ascap's brushes with the Government have been almost continuous since the filing of the 1934 anti-trust suit here. That action was brought to trial in 1935 and adjourned after one week while Government and Ascap attorneys sought to agree on stipulations of fact to simplify and shorten what threatened to become a long drawn out trial. Negotiations over the stipulations continued intermittently for several years without an agreement being reached. Last summer, the Department of Justice renewed its interest in Ascap and brought about a Federal grand jury investigation of the society, obtaining subpoenas for its records. The action was permitted to lag and never was revived.

Last December, after threatening to initiate a criminal action in Milwaukee, the Government began consent decree negotiations with the society which collapsed the same month. The Government then negotiated a decree with B.M.I., to become effective upon the entering of a similar decree for Ascap. The criminal information against the society was filed by the Government in Milwaukee early this month with the decree negotiations just concluded following immediately.

Tax on Ascap Fees in South Dakota Measure

Sioux Falls, S. D., Feb. 19.—A bill which would levy a tax of 25 per cent on fees collected by Ascap in South Dakota has been introduced in the legislature by Rep. Dean Trippler, Canova publisher.

Open Mexican Station

Mexico City, Feb. 19.—Radio Station XENC, 1,500 kilocycles, has opened here under the direction of Ramon Ferreiro, who has had radio experience in Mexico and the United States. There are now 32 active radio stations here. This station is cooperating with the Federal Government's better radio program policy.

Settle Radio Action

The Federal Court action for $25,000 brought by Joseph Kane, author, against Plough, Inc., in which he charged infringement of the radio program title, "Famous Firsts," has been settled.

Off the Antenna

WEVD yesterday received permission from the Federal Communication Commission to increase its power from 1,000 to 5,000 watts, day and night.

• • •

Purely Personal: *Clarence Schimmel, formerly with the CBS short wave division, has been transferred to the program service department where he will be the network's contact man for the Major Bowes' "Amateur Hour" and "Capitol Family." . . . Otto Brandt has been named assistant to the manager of the NBC-Blue stations relations division, replacing Lee Jahncke who has been called up for service as a junior grade lieutenant in the Navy. . . . Edgar Jacobs, assistant production manager for WNEW for last three years, has joined the WABC program department staff. . . . Louis Katzman, WINS musical director, will be guest on "Behind the Mike" over NBC-Blue Sunday at* 4:30 *P.M. . . . Don Dunphy celebrates his sixth year as sports announcer today.*

• • •

Program News: H. V. Kaltenborn, NBC-Red commentator, will start a one-month vacation Saturday. . . . "Campana's First Nighter" this week celebrated its 500th performance over CBS. . . . Sybil Norman, contralto, will start a new series over WBNX Sunday at 6:15 P.M.

• • •

Film Players on the Air: Paul Muni will be guest on "I'm an American" over NBC-Blue Sunday at 12:15 P.M. . . . Luise Rainer will be guest on "Lincoln Highway" over NBC-Red Saturday, March 1. . . . Bing Crosby, Bob Hope and Betty Grable will appear in "Altar Bound" on "Screen Guild Theatre" over CBS Sunday at 7:30 P.M. . . . Olivia de Havilland will be guest on "Silver Theatre" over CBS Sunday at 6 P.M.

• • •

Lindy, the famous Broadway restaurateur, made his radio debut on Fred Allen's program on CBS last night. He told about the celebrities who frequent his establishments and credited his wife with much of his success.

Petrillo Sets AGMA Deadline at March 1

Members of the American Guild of Musical Artists must join the American Federation of Musicians by March 1 or be forbidden to work in films, on the radio, in concert halls or make recordings, James C. Petrillo, president of the A.F.M., ruled yesterday in renewing his ultimatum of last fall. The AGMA is appealing its injunction suit against Petrillo to the N. Y. Court of Appeals. The suit prevented enforcement of Petrillo's original order.

Plan Reading Show For English Relief

Reading, Pa., Feb. 19. — Theatre managers here are pooling their interests for the benefit of English bomb victims and will sponsor a benefit March 26 at the Rajah, called "The British War Relief Revue." Proceeds will go to the British War Relief Society.

Frank L. Diefenderfer, president of the local musicians' union, is general chairman; C. G. Keeney, Park manager, chairman of public relations; George Peters, Loew's manager, publicity chairman; J. Lester Stallman, general manager of the H. J. Schad theatres, advertising chairman; Paul E. Glase, Wilmer & Vincent manager, chairman of production; and J. L. Mulhall, Warners' district manager, and W. B. Huffman, Astor manager, committee members.

Establish Mexican Cooperative Society

Mexico City, Feb. 19.—Mexico's first picture workers' cooperative society, an organization of 25 scenarists, editors, directors, distributors and musicians, has been founded here under the name, Sociedad Cooperativa Cinematografica de Produccion y Servicio (Cinematographic Production and Service Cooperative Society).

Objects of the society are to exploit collectively the distribution of pictures and to produce films of a documental, artistic, scientific and educational character. Officers of the society are: Emilio Amero, president; Jose Mendarozqueta, secretary, and Landelino Wencel, treasurer.

Bill on Recordings Introduced in N. Y.

Albany, Feb. 19.—Senator Charles Perry has introduced a bill in the New York State legislature designed to prevent unauthorized recordings. The measure was sponsored by the National Association of Performing Artists. In former sessions the measure was fought by radio stations, and the present bill has been drawn to meet the objections of the networks and broadcasters.

Nancy Kelly Married

Yuma, Ariz., Feb. 19. — Nancy Kelly and Edmond O'Brien, film players, were married here today after an elopement from Hollywood.

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and
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L. 49. NO. 36 NEW YORK, U. S. A., FRIDAY, FEBRUARY 21, 1941 TEN CENTS

Per Program Ascap Pacts For Theatres

May Elect Them Instead Of Blanket Deals

Theatres may elect to make "per program" contracts instead of blanket licensing agreements with Ascap if they wish to do so under the Federal consent decree to be entered against the society next week.

That is the only phase of the decree which applies to Ascap licensees other than broadcasters, attorneys for the society stated yesterday. In particular, the clearance at the source provision of the decree applies solely to network licensees and has no relation whatever to theatres, it was stated.

Ascap officials, however, said they doubted whether theatres would see fit to avail themselves of the per program licenses, since the cost of that method would be two to four times more than the present blanket agreements.

A special meeting of 650 Ascap members at the Hotel Astor last night unanimously ratified the action of the board in accepting the decree. Gene Buck, Ascap president, was chairman and introduced Lieut.-Gov. Charles Poletti, who was special Ascap counsel in the negotiations with the Department of Justice. Each member

(*Continued on page 8*)

$1,000,000 for P. R. C. From Consolidated

Producers Releasing Corp. has closed a deal with Consolidated Film Industries whereby Consolidated will make funds for production available to the film company, in return for handling its laboratory work during the next year. A joint announcement said the deal involves more than $1,000,000. Participating in the deal, in which P. R. C. was represented by O. Henry Briggs, president, is RCA, which will do all P. R. C. feature recording. P. R. C. also announced a deal with British Empire Films for distribution in Australia and New Zealand.

Robbins Urges Flexible Budgets for Theatre Ads

By SHERWIN A. KANE

Increased and better use of all forms of theatre advertising was urged as an industry need by Herman Robbins, president of National Screen Service, in an address at the Ampa luncheon meeting at the Hotel Edison yesterday, attended by about 200 persons.

Herman Robbins

"The average exhibitor," Robbins said, "seems to have fallen very hard for that word 'budget.' He makes up his mind that he is going to spend so much on advertising every week, and come what may—big picture or sensation—the advertising budget stays put. We know that's no way to establish records. We know that that isn't showmanship. The exhibitor must get back to some degree of the old-time showmanship when every time he played a picture he had to go out and plaster the town with its virtues.

"There is a job of showmanship to be done that isn't being done. Advertising is the medium that will do it, that will bring people back to the theatres."

Robbins cited the theatre lobby as an example of wasted business opportunity in many places. Comparing the lobby with the merchant's show window, he pointed out that only care-

(*Continued on page 7*)

'Tobacco Road' Gets Big B'way Welcome At Roxy Premiere

"Tobacco Road" is Broadway's winner, as the new week on Times Square started off gratifyingly yesterday with the help of good weather and a batch of new product. At the Radio City Music Hall, "Mr. and Mrs. Smith" had an auspicious first day. "Tobacco Road," which is being greatly heralded by 20th Century-Fox in one of the biggest campaigns of the year, opened strong. The run of the picture continued throughout the night until 2 A. M. this morning, after opening at 8 A. M. yesterday.

"Gone With the Wind" closed a four-week run at the Capitol Wednesday night with an aggregate gross estimated at about $161,000, or slightly better than a weekly average of $40,-

(*Continued on page 7*)

'Carnival' S.R.O., $50 a Seat Offered

With all seats sold out for several days, the "Carnival for Britain" benefit at the Radio City Music Hall tonight will bring thousands to Rockefeller Center. Offers of $50 per seat have been reported from some who seek tickets. The regular prices are $1, $2, $3, $5 and $10. Two hundred standing room tickets are going at $2.

(*Continued on page 7*)

"Tobacco Road"

[20th Century-Fox]

LONG since having become the hardy perennial of the American stage, from its opening as a Broadway play by Jack Kirkland in 1933, the saga of Jeeter Lester herewith comes to the screen.

Endowed by its cinematic creators with an exceptionally able cast, each member of which plays his role to the hilt, and a high degree of technical production value, "Tobacco Road" emerges as occasionally amusing, but generally rather depressing entertainment. Since comparisons with "The Grapes of Wrath" would appear inevitable, it may be said that this film does not have the dramatic force or the dynamic sweep of that earlier study of a sociological situation, but it does have sharply focussed dramatic power.

It purports to tell the story of the shiftless, wholly worthless, dirty and unlettered hill-billies of the Southern mountains. In so far as that story and its telling goes, the job has been most effectively done. The point is, however, just to what extent the American public will want

(*Continued on page 7*)

Col. Will Not Adopt 5-Block Sales Method

So Declares Jack Cohn, En Route from Coast

By IRVING YERGIN

CHICAGO, Feb. 20.—There will be no block-of-five from Columbia Pictures. The method of selling which is prescribed for the "Big 5" in the New York case consent decree will not be adopted by Columbia. So stated Jack Cohn, vice-president and Eastern head of Columbia Pictures, en route here today from the company's studio to New York. Cohn in conferences at the studio presented several new and big ideas to his associates for the new season.

Jack Cohn

Columbia's sales plans for the new

(*Continued on page 7*)

Le Baron Signed as 20th-Fox Producer

HOLLYWOOD, Feb. 20.—William LeBaron, who resigned as production executive at Paramount recently, today was signed by 20th Century-Fox as producer in charge of his own unit under Darryl F. Zanuck, vice-president in charge of production.

The deal, described as a long term one, is effective March 10. It was originally announced at Paramount when LeBaron left his post there that he would form an independent production unit and release through that company.

Anti Five-Block Bill in Minnesota

St. Paul, Feb. 20.—A bill to ban the sale of films in blocks of five in Minnesota was introduced in the legislature today. It is sponsored by Northwest Allied, which seeks to contravene the provision of the Federal consent decree. Similar bills may be sponsored in North and South Dakota.

'John Doe' Premiere March 12 on Coast

Hollywood, Feb. 20.—Warners announced today that the world premiere of "Meet John Doe" will be held March 12 at Warners' Hollywood on a reserved seat basis of $2.20 top. The regular run will start on the next day, continuing at the Hollywood and running also at the Downtown here, and in New York at the Rivoli and the 51st Street theatres. The opening of the picture in New York will follow the run of "Back Street" at the Rivoli. A celebrity premiere will usher in the regular showing of the picture in New York, it was announced this week by Gradwell L. Sears, general sales manager. Mort Blumenstock is directing a special campaign on the event.

Executives Preview RKO Trenton House

John J. O'Connor, vice-president in charge of RKO Theatres; Fred Meyers, booking head, and Harry Mandel, publicity manager, will "preview" the new RKO Reade's Trent Theatre in Trenton, N. J., tonight, prior to the reopening of the house Saturday afternoon. RKO will handle booking and operation of the house.

The theatre, jointly operated by RKO and Walter Reade, was remodeled by Thomas W. Lamb, architect. James Brennan is manager of the house. Walter Reade will be host at a cocktail party in Trenton Saturday evening, following the opening.

U. S. Suit Lawyers Form Partnership

Robert E. Sher and James V. Hayes, who as special assistant U. S. Attorneys General were active in the negotiations for a consent decree in the Government's New York anti-trust suit against the major companies, have resigned and will engage in law practice as partners in Washington, it was learned yesterday.

Lindy's
INC.
RESTAURANTS

1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

GEORGE J. SCHAEFER, RKO president, is scheduled to arrive from the Coast by plane today, but will return to the studio in a few days.

•

JOSEPH I. BREEN, Production Code Administrator, is expected from the Coast tomorrow.

•

LEONARD GOLDENSON, Paramount home office theatre executive, will return from Florida early next week.

•

ALEXANDER KORDA is expected to arrive from the Coast tonight or tomorrow. STEVE PALLOS, Korda's Eastern representative, arrived from the Coast yesterday.

•

LOUIS ASTOR, MAX WEISFELDT, HARRY COSMAN and SEYMOUR POE lunching yesterday at Lindy's (next to the Rivoli).

•

JOHN D. HERTZ, JR., celebrated his birthday yesterday.

•

M. A. SCHLESINGER, WILLIAM F. RODGERS, MAX DREYFUS, HARRY BRANDT, E. K. O'SHEA, OSCAR DOOB, DAVID LIPTON, MAX A. COHEN, WILLIAM ORR, ADOLPH ZUKOR, JOHN W. HICKS and GEORGE SKOURAS lunching yesterday at Nick's Hunting Room in the Astor.

MARTIN SMITH of Columbus, president of the I.T.O. of Ohio, is in town.

•

MAX FELLERMAN, RKO Circuit executive, will leave with MRS. FELLERMAN tomorrow for a three-week Southern cruise on the *George Washington.*

•

JULES LAPIDUS, Eastern district sales manager for Universal, left yesterday with his family for a two-week vacation in Miami.

•

CHARLES SCHWARTZ has returned from United Artists conferences on the Coast.

•

HASKELL MASTERS, NATE BLUMBERG, HARRY GOLD, JOSEPH PINCUS and GEORGE BURNS lunching yesterday at Lindy's (51st St.).

•

WILLIAM GRADY, CLAYTON BOND, FRANK PHELPS, CHARLES SONIN, BORIS KAPLAN, MARCUS HEIMAN, MAX GORDON, SYLVIA SIDNEY, LUTHER ADLER, BEN WASHER, AL LEWIN and ARTHUR LOEW lunching at Sardi's yesterday.

•

BUDD ROGERS, BEN JENNINGS, JACK MILLS, DOUGLAS ROTHACKER and JEFFREY BERNERD at the Tavern yesterday for lunch.

Robinson Farewell Luncheon Is Held

Thomas Robinson, member of Loew's legal staff and step-son of Sidney Phillips of M-G-M's talent department, was given a farewell luncheon at Sardi's yesterday by associates. He is to be inducted into the army today. Attending were Phillips, Marvin Schenck, Al Altman, Sam Cohen, Irwin Margolies, William Melniker, William Orr, Benn Jacobson, William Deering, David Decker, Sidney Blumberg and others.

Will Seek 'Slot' Opinion

CHICAGO, Feb. 20.—An opinion from the Corporation Counsel as to the powers of the Police censor board over coin-in-the-slot films will be requested in a few days by Police Commisioner James P. Allman, under whom the board operates. The board collects a license fee of $1 a reel on theatrical films.

Joseph Heads Studio Ad Directors' Group

HOLLYWOOD, Feb. 20.—John Joseph, Universal advertising and publicity director, today was elected chairman of the Publicity Directors' Committee here. He succeeds Harry Brand, studio publicity director for 20th Century-Fox, who completed his term of office. Robert Taplinger, chief of Warners' studio publicity, was elected vice-chairman.

'Wind' Starts Loew N. Y. Runs March 6

"Gone With the Wind" will start popular price runs at the Loew Circuit in Greater New York starting March 6, it was announced by M-G-M yesterday. The picture will play a number of theatres where it had advanced price, reserved seat engagements last year.

Freeman Honored at Coast Dinner

HOLLYWOOD, Feb. 20.—Louis B. Mayer was host last night at a dinner honoring Y. Frank Freeman on his reelection as president of the Association of Motion Picture Producers, attended by ranking studio executives.

At the party, held at M-G-M, Freeman was lauded by Mayer and other speakers for "leading the Association of Motion Picture Producers through one of the organization's most difficult years." Freeman, as a Paramount executive, and Cliff Work, Universal production executive, also were praised for being largely instrumental in the progress of their respective companies during the last year. Freeman received an ebony gavel from Mayer in tribute.

Other speakers were Will H. Hays, Samuel Goldwyn, Harry Cohn, E. J. Mannix, George Schaefer, Cliff Work, Harry Warner and Mendel Silberberg. Also attending were Fred Beetson, Harry Brand, Pat Casey, William Goetz, B. B. Kahane, Jock Lawrence, J. R. McDonough, J. J. Nolan, Fred Pelton, Hal Roach, Darryl F. Zanuck, Howard Strickling, George Cohen, Herbert Freston, Jack Karp, E. J. Loeb and Alfred Wright.

Newsreel Parade

THE return of Haile Selassie to command his own troops against the Italians in Ethiopia is accorded attention in all of the reels' weekend issues. Other war news is covered. Contents follow:

MOVIETONE NEWS, No. 48—Br[illegible] troops capture fort in Libya. Haile S[illegible]sie returns to Ethiopia. British exhibit new fast convoy ships. Wendell Willkie with King George in London. Queen Elizabeth with gifts from the United States. Girls take under-water screen test in Florida. Rodeo in Phoenix, Ariz. Dodgers in training at Havana. DiMaggio starts training in San Francisco. Torgor Tokle wins ski meet in Washington. Ice-boating on Wisconsin lakes.

NEWS OF THE DAY, No. 246—Haile Selassie in Ethiopia. R.A.F. in action over Africa. Japanese mission eyes Indo China's lost city. First films of new British sub-chasers. Annapolis speeds training of pilots. Easter bonnets. Aquaplaning in Florida. Queen Elizabeth thanks Americans for gifts.

PARAMOUNT NEWS, No. 51—Bombers for Britain inspected by British officer in Seattle. Queen Elizabeth examines clothing from the United States. Duke and Duchess of Windsor at benefit in the Bahamas. Selassie takes charge of Ethiopian troops. Nations assemble in Dominican Republic to weigh refugee problem. Dodgers start training in Havana. Baseball school run by Rogers Hornsby in Arkansas. Motorcycle race at Daytona Beach.

RKO PATHE NEWS, No. 51—England's Queen inspects gifts from the United States. New destroyer joins American Navy. Air Corps studies captive balloons at Fort Bragg, N. C. U. S. Army works on camouflage art in Florida. Carnival in Tampa. Selassie reviews Ethiopian troops. Tin-Can Tourists hold convention in Florida. Under-water film tests in Florida. Scotch ice game growing in popularity. Jay Rand wins Lake Placid ski contest.

UNIVERSAL NEWSREEL, No. 956—Haile Selassie in Ethiopia. Bombers for England inspected in Seattle. Camouflaged air shelters in Tampa. U. S. coin weights tested in Philadelphia. Irish setter has 10 pups. Under-water screen test in Florida. Carnival in Tampa. Dodgers in Havana. DiMaggio in training in San Francisco. Pancake-eating contest at Humboldt, Ia. Ice-boating in Wisconsin. Ski meet in Washington.

E. C. Grainger on Tour

E. C. Grainger, president and general manager of the Feiber & Shea circuit, has left on a tour of houses in Newark and Zanesville, O., and Wheeling, W. Va. He will return next week.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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24 HOURS THAT SHOOK NEW YORK!

"Tobacco Road" is the first motion picture ever to run all night in a deluxe Broadway theatre . . . following an unprecedented 8 A. M. opening at the 6000-seat Roxy yesterday!

The doors never closed--here's why!

8 A. M. Thursday—12° above Zero!

"I'VE BEEN WAITING SINCE 7 A. M.—AND I BROUGHT MY LUNCH! I'M GOING TO BE THE FIRST ONE IN!"

Charles Geramita
635 Glenmore Ave.
Brooklyn, N. Y.

"GOT UP AT 5 A. M. TO PUT MY MAKE-UP ON SO I COULD SEE 'TOBACCO ROAD' ON THE SCREEN AT THE EARLIEST SHOW!"

Florence Millett
130 E. 34th St.
New York City

"FREEZING, ISN'T IT OUTSIDE? BUT I SAW THE STAGE PLAY AND I WANT TO SEE THE PICTURE!"

J. Horke
276 New Jersey Ave.
Brooklyn, N. Y.

"I'M A NURSE—WAS ON DUTY ALL NIGHT AND CAME STRAIGHT HERE TO SEE IT! I'LL BET IT'S BETTER ON THE SCREEN!"

K. Keys
301 E. 38th St.
New York City

"I WAS SOLD BY THE ADS. I DON'T MIND THE COLD."

Marita Alercem
258 Mt. Hope Pl.
Bronx, N. Y.

12:30 P. M. Thursday!

"I'M ON LINE BECAUSE I'VE HEARD PLENTY ABOUT THE PLAY!"

Morris Brandler
145 Terrace Ave.
Hempstead, L. I.

"THE PICTURE'LL BE GREATER THAN THE PLAY. BROUGHT MY DAUGHTERS VICTORIA AND CONSTANCE ALL THE WAY FROM YONKERS TO SEE IT."

L. M. Clark
32 Riverview Terrace
Yonkers, N. Y.

"SAW THE PLAY . . . READ THE BOOK . . . AND NOW I'M GOING TO SEE THE PICTURE, 'TOBACCO ROAD'."

H. Retus
3130 44th St.
Astoria, L. I.

"WE BOTH THOUGHT THE PICTURE WOULD BE SWELL SO WE MADE A SPECIAL TRIP."

Mr. and Mrs. B. Homel
Townsend, Conn.

'I TRIED TO SEE IT FOR EIGHT YEARS AT THE FORREST THEATRE BUT NEVER MADE IT. I HOPE IT'S AS GOOD AS THEY SAY!"

John Sheedy
1000 Cypress Ave.
Brooklyn, N. Y.

3:30 P. M. Thursday!

"I DON'T MIND THE COLD. I SAW THE SHOW, TOO—AND 'TOBACCO ROAD' IS WORTH WAITING FOR—I'M ON PINS AND NEEDLES TO SEE JEETER AGAIN!"

Rose Kosko
534 E. 6th St.
New York City

"I'VE NEVER SEEN THE PLAY—SO I'M GOING TO SEE THE PICTURE IF I HAVE TO WAIT ALL NIGHT."

Carole Mazza
733 Arnow Ave.
Bronx, N. Y.

"I NEVER WAITED SO LONG FOR A PICTURE BEFORE . . . BUT IT MUST BE WORTH IT!"

Ruth Heyt
450 North Grove St.
East Orange, N. J.

"I'VE BEEN PHOTOGRAPHING THEATRE CROWDS FOR 20 YEARS—AND I HAVE NEVER SEEN THEM STORM IN LIKE THIS!"

Jimmy Sileo
79 W. 45th St.
New York City

and so on thru the night!

Schine Opposes Queries by U.S.

BUFFALO, Feb. 20.—Objections to the Government's recent interrogatories in the Schine Circuit anti-trust suit were filed in Federal court here today by Willard S. McKay, attorney for the Schine enterprises.

McKay petitioned the court for an order striking out the interrogatories and excusing the defendants from answering them on the grounds that the Government papers seek the disclosure of matters outside the issues raised by the pleadings and of personal financial transactions in which the defendants may have engaged but which are not involved in the issues of the case.

The Schine counsel asserts that the compilation of information sought by the Government "would be unduly burdensome and expensive to the defendants," and described the interrogatories as "vague and unclear" with respect to their application to J. Myer Schine and Louis W. Schine. The defendants, McKay pointed out, would be required under only one subdivision of the interrogatories to furnish the titles and other information on from 250 to 350 films annually for a period of 10 years which played between 125 and 150 theatres.

McKay further alleges the interrogatories seek the disclosure of "confidential and business secrets not involved in the case's issues" and seek information concerning "matters of public record."

British 'Carnival' S.R.O.; $50 Offered

(*Continued from page* 1)

George S. Kaufman and Vinton Freedley have produced the show. The entire proceeds will go to the British War Relief Society. Use of the theatre and staff have been donated by the Music Hall. WNEW will broadcast the program from its start until about 3:30 A. M. and has cancelled its regular "Milkman's Matinee" commercials during the period.

Fred Allen and Deems Taylor will be masters of ceremonies. Scheduled to appear are Irving Berlin, George Burns, Gracie Allen, Joe Cook, Tony and Renee DeMarco, Maurice Evans, Gracie Fields, William Gaxton, William Moore, Helen Hayes, Monty Woolley, Walter Huston, Howard Lindsay, Arthur Treacher, Ethel Merman, Olsen & Johnson, George M. Cohan, Bill Robinson, Ethel Waters, Peggy Wood, Vera Zorina and Anton Dolin, the Yonkers Kiltie Band, British War Veterans Color Guard and the Radio City Music Hall Symphony directed by Erno Rapee.

Marcus Loew Dividend

TORONTO, Feb. 20.—A further dividend of 3½ per cent on the preferred shares has been declared by Marcus Loew's Theatres, Ltd., here, payable March 31; thus reducing the arrears on this stock for another six months. The current payment is for the half-year period ending June 30, 1940.

Moray on Tour

Norman Moray, Warner short subject sales manager, has left for his annual trip to the company's branches on plans for next season's short subject lineup, which will be set at a studio conference in March. Moray will be away eight weeks.

"Tobacco Road"

[20th Century-Fox]

(*Continued from page* 1)

to see this particularly black blotch on the supposedly spotless escutcheon of the nation.

The frankly indecent aspects of the stage play, which may or may not have had much to do with the astoundingly long run the play still is enjoying, in New York and on the road, have been almost completely eliminated. There is only one sequence in which there is a suggestion of the play's most criticized aspects, and that is hurriedly passed over. However, there are other sequences of dialogue and action which picture in sharp outline the immorality, or complete lack of morals, of these mountain people.

The film is a compelling picture of the manner of these worthless, but apparently happy people. The interpretations are excellent, with Charley Grapewin as Jeeter Lester; Elizabeth Patterson as his hopeless wife; Marjorie Rambeau as the psalm-singing widow, who marries the half-demented Lester son, played by William Tracy; Ward Bond as the physically strong but mentally childish husband of one of the Lester daughters; Gene Tierney as the obviously sex-starved other daughter, and a number of lesser players in support.

The basic theme of the story is indicated in the closing sequence, when Lester and his wife, about to be evicted from their shack for non-payment of rent when the bank takes the land, are saved by the son of a former landlord and given money to plant a crop. Lester, verbally fired with ambition, curls his back against a post on the porch and falls into the accustomed doze which is his way of life.

En route to that point is pictured a series of Jeeter's adventures, as he seeks to raise the money by not too scrupulous means, and moments of wild comedy as Tracy, behind the wheel of a new car, drives it like a boy gone mad with results more amusing than tragic. John Ford's direction kept the pace swift, the outline sharp.

Ending where it started, the film points no moral, nor is any attempted. It is a picture of a sad pattern of life, lacking great significance even as the lives of its characters lack it.

The exhibitor may well bear in mind that the extraordinary run of the play and the unstinting advance campaign which has been accorded the film version, must have aroused a large measure of public curiosity concerning the picture, which may be turned to advantage at the box-office.

It is, of course, definitely adult fare.

Running time, 84 minutes. "A."* CHARLES S. AARONSON

---

* *"A" denotes adult classification.*

Robbins Urges Flexible Budgets for Theatre Ads

(*Continued from page* 1)

fully planned and effective advertising methods will keep them alive to draw patrons.

Discussing the place of the trailer in theatre advertising, Robbins said it has kept pace with every improvement in motion picture production. He said that more than 14,000 theatres are served by the company's trailer service and more than 7,000 by its accessories service. Trailers, today, he said, are made to be believed—by the exhibitor and the theatre patron, and in their present state of development are doing a major job of effective selling.

Robbins was introduced by Maurice Kann, editor of *Boxoffice*. Leon Bamberger, Ampa president, presided. Others on the dais were George Dembow, Charles Casanave, Toby Gruen, Vincent Trotta and Harry Samath.

Among the industry personalities at the luncheon were: A. W. Smith, Oscar Morgan, J. J. O'Connor, Manny Reiner, Fred Meyers, Arthur Israel, William Sussman, Andre Baruch, Max Fellerman, Bob Mochrie, Harry Buxbaum, William Gehring, L. E. Thompson, Harry Royster, Sam Shain, Harry Mandel, H. M. Richey, Charles McDonald, R. M. Savini, David Lipton, A-Mike Vogel, Martin Quigley, Jr., Herman Wobber, Olga Baclanova, Jack Hively, Martin Smith and Alec Moss.

William F. Rodgers, M-G-M general sales manager, will be guest of honor at the next Ampa luncheon, March 6.

Col. Will Not Adopt Five-Block Selling

(*Continued from page* 1)

season were otherwise not revealed. This will be left for Abe Montague, general sales manager, and his staff to determine at the time when the company, under Montague's direction, holds its sales convention early in April.

Montague, who passed through here earlier this week, had been on the Coast with Cohn, and the new season's sales plans are reported to have been tentatively discussed at that time.

Cohn was accompanied by Phil Dunas, Columbia district manager in Chicago, when proceeding to New York tonight.

Detroit Group Asks For New Clearances

DETROIT, Feb. 20.—Allegations that several companies are refusing "reasonable" clearance and charging "arbitrary film rentals" are made in the first two local suits on file today with the arbitration board here.

The complaints were filed by Julius D. London and Milton London, owners of several neighborhood houses. Warners and Paramount are named in one case, and Paramount, RKO, Warners and 20th Century-Fox in the other.

The papers allege that at least four of the complainants' theatres are affected by clearances favoring competitive houses. The complaint against Warners and Paramount asks a clearance adjustment which would permit the Booth to play immediately after the Bell and seven days ahead of the De Luxe, Whittier, East End and Plaza.

Cleveland Case Permitted to Stand

After considering the status of a complaint filed early this week with the Cleveland arbitration board, the legal department of the American Arbitration Association here yesterday decided to permit the complaint to stand in order that its eligibility for arbitration may be decided by the arbitrator who will hear the case.

The complaint was brought by Louis Israel, president of Ellet Amusement Corp., Akron, against all five consenting distributors. He asks seven days' clearance over the Norka and Rialto, Akron, for a new theatre which he will open there on March 15. The question of the admissability of the complaint arises from the fact that the new theatre does not replace one in existence on or before last Nov. 20, which is a decree condition for arbitration.

'Tobacco Road' Gets Big Welcome at Roxy

(*Continued from page* 1)

000. The fourth and final week was most healthy with an estimated $35,000.

There's a stage show, of course, at the Roxy and the Radio City Music Hall. The Capitol does not have one. At the Capitol, "Go West," the new Marx Brothers film, opened well.

Besides these new pictures at the Music Hall and the Capitol, the Paramount also opened with a new film, "You're the One," with Ella Fitzgerald and her band on the stage, and the Strand had its initial showing of "Strawberry Blonde," supported on the stage by Raymond Scott's band.

The second and final week of "Western Union" brought the Roxy an estimated $31,000. At the Music Hall, "This Thing Called Love" with a stage show finished a week's stand with about $80,000. "Honeymoon for Three" with Ray Noble grossed an estimated $20,000 in its second week at the Strand.

Lucille Watson in Today

Lucille Watson, stage and screen actress, arrives today from the Coast to begin rehearsals for a new Broadway show.

Per Program Ascap Pacts For Theatres

(*Continued from page* 1)

signed a "rider" declaring himself a party to the decree, after Poletti read the decree and explained its provisions.

The announcement that the "self-perpetuating" board of directors would be eliminated and the board will be elected by the members, as the decree provides, was greeted with applause.

Buck said he would fly to the Coast today to obtain the signatures to the decree of about 250 members in Hollywood.

N. A. B. to Canvass Members

Definite arrangements for the beginning of negotiations between Ascap and the radio networks appeared no nearer yesterday, although Buck communicated with Neville Miller, head of the National Association of Broadcasters, by telephone on the subject. Miller informed Buck that N.A.B. members would be canvassed on the matter and Ascap would be advised of the result.

The procedure in putting the Ascap decree into effect will involve the filing of a new Government anti-trust suit against the society here, with the decree terminating the action being handed up to the court immediately afterward. The Government then will move for dismissal of the 1934 New York anti-trust suit against Ascap and also will withdraw its criminal information against Ascap in Milwaukee on the payment of $24,000 fines.

The first election of Ascap directors by the general membership of the society, as directed by the decree, may not occur until next year, due to the fact that the decree will not be in effect when the terms of the first four directors expire with Ascap's annual meeting next month. The decree does not become effective until 90 days after its approval by the court, which would be some time next June at the earliest, and it permits the present directors to serve out their terms.

Ascap directors have been elected by the board itself, in such a way that the terms of four members, two publishers and two writers expire annually. The Ascap by-laws governing the election of directors will have to be revised to conform with the decree's provisions and that, too, may not be completed by the time of the annual meeting, further lessening the likelihood of the election of four members by the new method next month.

Writers Guild Gets Pact from NBC, CBS

Contracts were signed yesterday between the Radio Writers Guild and NBC and CBS, granting the script writers a Guild shop. The new contracts provide that the writers shall share in any profits derived from sale of script rights to films or magazines or for stage production.

Extend England's Sunday Openings

London, Feb. 20.—Permission for legitimate theatres, music halls and similar places in England and Wales to open on Sundays under an extension of the defense regulations has been formally approved and will be put into effect in the immediate future, according to Herbert Morrison, Minister of Home Security.

The regulation of last year removing the cumbersome machinery of ballot and appeal, and allowing local authorities the option of making direct application for the Sunday opening of film houses, will be extended to legitimate theatres, vaudeville houses, concerts and the like.

Morrison, in explaining the move, emphasized the great need of the armed services and industrial workers for weekend recreation and entertainment. The extension of the regulations, it is said, establishes recreation facilities for the civil and industrial population, and not merely for the armed forces, as previously.

Exhibitors and the film trade generally are expected to look upon the move as a dubious blessing. It is seen by the trade as doing nothing actually to further the general opening of film houses on Sunday beyond a suggestion to local authorities, and at the same time opens the way for considerable competition. This exhibitors consider unfair, since only film houses pay the Sunday charity tax, which does not apply to other forms of entertainment. Scotland is excluded from the new regulations. Debate in Commons on the situation has been promised by the Government if necessary.

'Story' Holds Pace, $17,000, Pittsburgh

Pittsburgh, Feb. 20.—"The Philadelphia Story" in the second week took $17,000 at Loew's Penn. "Gone With the Wind" drew $7,500 in the fourth week at the Warner.

Estimated takings for the week ending Feb. 13:

"Keeping Company" (M-G-M)
"Land of Liberty" (M-G-M)
FULTON — (1,700) (30c-44c) 7 days. Gross: $3,300. (Average, $5,500)

"The Philadephia Story" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days, 2nd week. Gross: $17,000. (Average, $13,000).

"Convoy" (RKO)
"Let's Make Music" (RKO)
RITZ—(800) (28c-44c) 7 days. Gross: $2,000. (Average, $4,000)

"This Thing Called Love" (Col.)
SENATOR—(1,700) (28c-39c-55c) 7 days, 4th week. Gross: $5,000. (Average, $5,000)

"Sons of Monte Cristo" (U. A.)
STANLEY—(3,600) (28c-44c-66c). On stage: "La Conga Revue." 7 days. Gross: $17,000. (Average, $17,000)

"Gone With the Wind" (M-G-M)
WARNER—(2,000) (40c-55c) 7 days, 4th week. Gross: $7,500. (Average, $5,000)

'Thing Called Love' At $11,000, Montreal

Montreal, Feb. 20.—"This Thing Called Love" led grosses here with $11,000 at the Palace. "The Howards of Virginia" took $5,000 at the Capitol.

Estimated takings for the week ending Feb. 13:

"This Thing Called Love" (Col.)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $11,000. (Average, $7,000)

"Trail of the Vigilantes" (Univ.)
"Sandy Gets Her Man" (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $2,500. (Average, $4,000)

"The Howards of Virginia" (Col.)
"Blondie Plays Cupid" (Col.)
CAPITOL—(2,800) (25c-45c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)

"Hudson's Bay" (20th-Fox)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 2nd week. Gross: $4,500. (Average, $7,000)

"Hullabaloo" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,500. (Average, $2,500)

Welles as Washington

Orson Welles has been engaged by WNEW to enact the role of George Washington for a special memorial program over the station at 8 P. M. tomorrow. Prof. Louis Hacker of Columbia University wrote the script.

$9,000 'Wind' Gross In 4th Buffalo Week

Buffalo, Feb. 20.—"Gone With the Wind" drew $9,000 in its fourth week at the Great Lakes. "Mr. and Mrs. Smith" and "The Saint in Palm Springs" made $7,700 at the Twentieth Century.

Estimated takings for the week ending Feb. 15:

"So Ends Our Night" (U. A.)
"Maisie Was A Lady" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $10,000. (Average, $12,000)

"Gone With the Wind" (M-G-M)
GREAT LAKES—(3,000) (40c-55c) 7 days, 4th week. Gross: $9,000. (Average, $7,500)

"The Philadelphia Story" (M-G-M)
"The Wild Man of Borneo" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 3rd week. Gross: $7,000. (Average, $6,800)

"Mr. and Mrs. Smith" (RKO)
"The Saint in Palm Springs" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $7,700. (Average, $7,500)

"Trail of The Vigilantes" (Univ.)
"Six Lessons From Madame La Zonga" (Univ.)
LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $5,800. (Average, $6,300)

'Philadelphia Story' $19,500, Cleveland

Cleveland, Feb. 20.—"Philadelphia Story" was a smash at Loew's State last week, drawing $19,500. "Tall, Dark and Handsome" at the RKO Palace, with "Folies Bergere," earned $17,000.

Estimated takings for the week ending Feb. 13:

"This Thing Called Love" (Col.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $5,000. (Average, $4,000)

"Mr. and Mrs. Smith" (RKO)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $9,000. (Average, $11,000)

"Tall, Dark and Handsome" (20th-Fox)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. "Folies Bergere of 1941" on stage. Gross: $17,000. (Average, $13,500)

"Philadelphia Story" (M-G-M)
LOEW'S STATE — (1,900) (40c-58c) 7 days. Gross: $19,500. (Average, $11,000)

"Gone With the Wind" (M-G-M)
LOEW'S STILLMAN—(1,900) (40c-58c) 7 days, 4th week. Gross: $7,000. (Average at 33c-39c-47c, $4,000)

Sues for Print Return

Du World Pictures, Inc., World Film Corp., Lloyd's Film Storage Corp. and officers of Du World were named defendants yesterday in a suit filed in N. Y. Supreme Court by J. S. Rex Cole, which seeks return of 25 prints of "Legong," and "Kliou." Plaintiff, as assignee of the Bennett Picture Corp., claims the defendants' distribution contract has expired.

'Love' Draws Good $8,500, Tops Seattle

Seattle, Feb. 20. — "This Thing Called Love" at the Liberty took $8,500. "Mr. and Mrs. Smith" at the Paramount drew $6,200 on a dual. The weather was mild and dry.

Estimated takings for the week [illegible] ing Feb. 14:

"Hudson's Bay" (20th-Fox)
"The Saint in Palm Springs" (RKO)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days. 3rd week. Gross: $3,000. (Average, $4,000)

"Kitty Foyle" (RKO)
"Tall, Dark and Handsome" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,200. (Average, $7,000)

"This Thing Called Love" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. Gross: $8,500. (Average, $5,000)

"The Philadelphia Story" (M-G-M)
"Michael Shane, Private Detective" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. 4th week. Gross: $3,300. (Average, $4,000)

"High Sierra" (W.B.)
"Where Did You Get That Girl" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. 2nd week. Gross: $5,600. (Average, $6,000)

"Riding On a Rainbow" (Rep.)
"Remedy for Riches" (RKO)
PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $5,100. (Average, $5,000)

"Mr. and Mrs. Smith" (RKO)
"Little Men" (RKO)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $6,200. (Average, $6,000)

'Back Street' Gets $19,000 in Detroit

Detroit, Feb. 20.—A new single bill policy for night performances at the Fox brought $19,000. "Back Street" only was shown at night. During the afternoon "Youth Will Be Served" was added. The Michigan reported $17,000 with "Kitty Foyle" and "The Saint in Palm Springs."

Estimated takings for the week ending Feb. 13:

"This Thing Called Love" (Col.)
"Night Train" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $5,500)

"Comrade X" (M-G-M)
"The Long Voyage Home" (U. A.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)

"Back Street" (Univ.)
"Youth Will Be Served" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $19,000. (Average, $15,000)

"Kitty Foyle" (RKO)
"The Saint in Palm Springs" (RKO)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $17,000. (Average, $12,000)

"Here Comes The Navy" (W. B.)
"South of Suez" (W. B.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $7,000)

"The Philadelphia Story" (M-G-M)
"Maisie Was A Lady" (M-G-M)
UNITED ARTISTS—(2,000) (25c-39c-44c-55c) 7 days, 5th week. Gross: $10,500. (Average, $10,000)

'Emma' Wiggles at Pressmen's Party

A snake which Paramount publicity spokesmen claim is "Emma," which—or who—appears in "The Lady Eve," was on hand yesterday for a cocktail party which Paramount gave for the press at the Copacabana. Among those at the party were: James Ivers, Paul Mooney, James Cron, Sid Rechetnik, A-Mike Vogel, James Cunningham, George Morris, Ira Wolfert, Tom Waller, Al Wilkie, Ed Sullivan, Vincent Trotta, Dr. Raymond Ditmars, Herb Berg and Kelcey Allen.

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VOL. 49. NO. 37 NEW YORK, U. S. A., MONDAY, FEBRUARY 24, 1941 TEN CENTS

U. S. Weighing Added Taxes On Amusement

May Tax Radio Licenses, Raise Ticket Levy

WASHINGTON, Feb. 23. — Concerned over the dearth of new fields into which the Government can go for new tax revenue, Treasury officials were said tonight to be giving serious attention to the possibility of taxing radio licenses.

The large revenue derived from the admission tax on film theatre tickets and other sources since the exemption was reduced also has turned attention to the possibilities of further exploiting the amusement field, either by the total elimination of the exemption or by an increase in the rate.

Various schedules have been drafted in the past of the possible return from radio license taxes, which show that from $1,000,000 to $3,000,000 could be obtained. A small sum from the viewpoint of the Treasury's great need, this would at any rate pay the expense of Federal Communication Commission regulation of broadcasting and other services, spokesmen assert.

In the first six months of its application, admission tax revenues under

(Continued on page 4)

Detroit Managers Sign Circuit Pact

DETROIT, Feb. 23.—First union contract in this area between theatre owners and managers has been signed here between the newly formed Theatre Managers and Assistant Managers Union, affiliated with the A. F. of L., and Jack Broder, who controls five local houses.

The contract provides for a six-day week, shorter hours, a week's vacation with pay, and salary increases ranging from $10 to $15 weekly. Theatres affected are the Rainbo, Times Square, Time, Town and Seville. Arthur F. Brock, president, represented the union.

U. A. Sets 'Topper' Trade Screenings

United Artists will hold trade showings of "Topper Returns," Hal Roach production, during the week from March 10 to 15, in all key cities. The release date of the film is March 12.

803 New Theatre Projects in 1940 Cost $21,906,000

Last year, 803 film theatres were built or underwent major alterations in the 37 states East of the Rocky Mountains, it was announced yesterday by Dodge Reports. This just eased over the total of 798 houses recorded for the same area in 1939.

Cost of work and materials involved totaled $21,906,000, as compared with $22,667,000 for the projects contracted for in 1939, the Dodge service reported.

The average floor area of the 1940 projects increased somewhat over the average the year before, with a total of 3,125,000 square feet of floor space involved in 1940 contracts, against 2,798,000 in 1939.

The theatre building program East of the Rockies is currently characterized by Dodge Reports as "just holding its own." The 1938 total was about $21,000,000, and in 1937 it was over $27,000,000.

U. S. Films Have 90% Of Palestine Market

WASHINGTON, Feb. 23.—About 90 per cent of the films exhibited in Palestine are produced in the United States, according to a report of the Department of Commerce. A relatively small supply of Egyptian films is also on the market and presents the only competition.

The sustained demand for U. S. films is attributed to the extremely limited production of British films because of the war.

1,000 Houses Pledge Greek Relief Shows

More than 1,000 theatres have already pledged to put on midnight shows for Greek war relief during the week of March 25 to 30 designated for the purpose, Adolph Zukor, amusements division chairman, reported Saturday. Midnight benefits have been given already by Warners in Johnstown, Pa., and Loew's in Memphis. Sam H. Harris has been named chairman of the legitimate theatre division of the campaign.

CBS Gives Impetus To Color Television

CBS took steps Friday to advance color television to the stage of a commercial reality when it called a meeting of television manufacturers and research engineers in an effort to interest them in manufacturing color television receivers and transmission equipment.

Dr. Peter C. Goldmark, CBS engineer who developed the system, had previously stated that color sets could be manufactured on a commercial basis, without adding greatly to the cost of receivers. Adrain Murphy, CBS executive director of television, declined to reveal the nature of the discussions after the meeting.

Meanwhile RCA officials gave no further indication of their plans regarding color television. At the close of the informal National Televisions

(Continued on page 8)

Ascap Appoints Committee To Negotiate Network Pact

A negotiating committee to meet with broadcasters to discuss terms of a new music licensing agreement between Ascap and the networks was named by the Ascap board of directors on Friday.

However, no date for a meeting between the representatives of the two camps has been set and it is regarded as unlikely that a conference will materialize within the next 10 days.

The naming of the Ascap committee is significant principally as an indication of the society's readiness to begin negotiations at an early date.

Gene Buck, Ascap president, communicated with Neville Miller, presi-

(Continued on page 8)

Durning Elected to Atlas Corp. Board

Harry M. Durning has been elected a member of the board of directors of the Atlas Corp., it was announced on Friday following a meeting of the board in Jersey City. Durning is Collector of Customs of the Port of New York.

The Atlas board now includes: Durning; Oswald L. Johnston, a partner of the law firm of Simpson, Thacher & Bartlett; Samuel Zemurray, president of United Fruit Co., and Floyd B. Odlum and L. Boyd Hatch, president and executive vice-president, respectively, of the corporation.

11 Arbitration Cases Brought In Three Weeks

Seven on Clearance, One On Overbuying

Eleven complaints were filed for arbitration in eight of the industry's 31 new arbitration boards during the first three weeks the boards have been in operation. No complaints have been filed in 23 of the local boards. The boards started operation Feb. 1.

Hearing dates have not been set as yet for any of the 11 complaints on file. Normal procedure requires 17 to 25 days to bring a case to hearing. Seven of the 11 complaints concern clearance, three ask for "some run" and one charges overbuying.

The policy of consenting companies will be to devote as much attention to a demand for arbitration as is normally given to a complaint at law. Each complaint will be carefully studied and investigated and, if the circumstances warrant, efforts to adjust the grievance will be made before the complaint is brought to arbitration. Full defenses will be prepared by company attorneys for all complaints which proceed to a hearing, it was said.

Company spokesmen said there would be no inclination to settle complaints which were not well grounded, in order to avoid arbitration proceed-

(Continued on page 4)

Col. Dedicates Sales Drive to Exhibitors

Columbia this year will dedicate its annual sales drive to the individual exhibitor and salesman, terming the three months' drive the "Columbia Exhibitors Good Will Campaign." The drive will begin March 1 and continue through May 30. During the period Columbia will release 15 outstanding attractions on its current season's schedule, it was said. The slogan for the campaign is, "Good will is the best asset of any business."

Reviewed Today

Reviews of "In Old Colorado," "Prairie Pioneers" and "Outlaws of the Rio Grande" will be found on Page 5.

Coffee for Troops

Scranton, Pa., Feb. 23.—Local 329 of the operators union here is supplying coffee free to 500 soldiers of the 109th Infantry, Pennsylvania National Guard. Cooperating with the Bureau of Recreation, the union has set up a canteen at Weston Field, municipal recreation center, where the troops are drilling and conditioning for 11 days prior to their departure for camp.

CEA Asks Revision Of Opening Hours

London, Feb. 23.—The London and Home Counties Branch of the Cinematograph Exhibitors Association has decided on a broad plan which would have the effect of altering the whole structure of war-time theatre opening hours.

The exhibitor group plans to approach various local authorities, asking the adoption of a selective schedule of operating hours, replacing the present fixed times with voluntary operation. Such schedules would increase total hours but these would be adjusted progessively.

The ultimate aim is to replace the present variable London closing hours by regular 10 P. M. and 11 P. M. closings. The C.E.A. also will ask that schedules be open to revision in accordance with changing circumstances. Longer Sunday opening hours will be requested on the ground that Sunday is now the busiest day of the week, often meaning the differerence between profit and loss on the week's business. They also will ask a reduction in the present charity tax for Sunday operation, which, it is claimed, is keeping some exhibitors in the red.

The London move will be closely watched, and similar action in other areas is considered likely.

250 at Philadelphia Dinner for Sweigert

Philadelphia, Feb. 23.—Approximately 250 attended a testimonial dinner at the Hotel Warwick here Friday night for Earl W. Sweigert, Paramount branch manager recently named district manager, and Ulrik F. Smith, promoted to local branch manager.

Edgar Moss, 20th Century-Fox district manager, was chairman of the affair. Others on the dais included: J. J. Unger, Oscar Morgan, William Sussman, John Nolan, Lester Kreiger, James P. Clark, Al Boyd, William Goldman, Sam Stiefel, Jay Emanuel, Joseph Eagan, Sidney Samuelson, Lewen Pizor, John Smith, F. A. Giannini. Powers Gouraud was toastmaster and Eddie White master of ceremonies of the entertainment.

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Complete Drug, Prescription and Cosmetic Depts.

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Personal Mention

SI SEADLER, M-G-M advertising manager, left by plane for the Coast Friday on a combined business and vacation trip. He expects to return in two weeks.

•

Edward A. Golden returned to the Coast over the weekend from New York.

•

Joseph Lee, sales manager at the 20th Century-Fox exchange here, is expected back from Florida March 3.

•

A. A. Hovell, Joseph R. Springer and Arthur Baker, Century Circuit executives, are due today from Florida.

•

Ben Gladstone of the Century Circuit became the father of a boy on Friday.

•

Arthur Greenblatt of the Monogram exchange here has been appointed an honorary member of the New York Bookers Club.

•

Alger Jenkins, Jr., nephew of Felix A. Jenkins, general counsel of 20th Century-Fox, has left for England to join the Royal Air Force.

•

Martin Smith, I.T.O. of Ohio president, has returned to Columbus from New York.

FRANK CAPRA is expected here soon from the Coast for a short stay.

•

Irving Cohen of the Paramount home office legal department has returned from a two-week business assignment at Erie, Pa.

•

Joseph I. Breen, Production Code Administrator, will leave for the Coast today after a few days here on personal business.

•

Louis D. Frohlich, Columbia counsel, left for Nashville over the weekend.

•

Morris Mechanic, owner of the New Theatre, Baltimore, is in Miami Beach for a two-week vacation.

•

Maurice Bailey, operator of the Whalley in Westville and the Whitney in New Haven, has motored to New Orleans with Jack Halprin, theatre contractor.

•

William Pfaff, son of Harold L. Pfaff of Paramount's Toronto office, has joined the Royal Canadian Air Force.

•

Arthur Ungar left for the Coast over the weekend.

Columbia Club Holds Annual Dinner Party

The Columbian Club, organization of the company's home office employes, held its 11th annual dinner-dance at the Waldorf-Astoria Saturday night. More than 700 members and guests attended.

Among the guests were: Jack Cohn, Judge Ferdinand Pecora, W. G. Van Schmus, Charles Schwartz, Louis Nizer, Abe Schneider, Abe Montague, Rube Jackter, Louis Astor, M. J. Weisfeldt, Leo Jaffee, David A. Lipton, Marvin Schenck, Charles Moskowitz, Oscar Doob, Clayton Bond and Sam Briskin.

Drive Honors Branson

The week of April 5 to 11 has been set aside by the RKO branches in Chicago, Kansas City, Milwaukee and St. Louis, honoring Walter Branson, Midwestern district manager, as part of the Ned Depinet sales drive, which runs until May 9.

LeMaire Named Aide To DeSylva at Para.

Hollywood, Feb. 23.—Rufus LeMaire has been appointed assistant to B. G. DeSylva, executive in charge of Paramount production, it was announced over the weekend. Studio spokesmen pointed out that this appointment does not conflict with that of Harold Wilson, who recently was named assistant to DeSylva. LeMaire formerly was with the RKO studio.

Whitney Here After Conferring on Coast

John Hay Whitney arrived here yesterday after several weeks in Hollywood where he conferred with producers and industry leaders on Pan-American cooperation. He is motion picture division chairman of the office of U. S. Coordinator of Commercial and Cultural Relations Between the American Republics. Whitney is expected to return to the Coast in a week.

Industry Praised for Federation Aid

Tribute to the part played by the amusement industry in the recent campaign of the New York and Brooklyn Federations of Jewish Charities was contained in a final report on campaign activities by 140 trades and divisions issued by Joseph M. Proskauer, campaign chairman.

Proskauer called the campaign the most successful in more than two decades. He gave particular praise to David Bernstein and Major Albert Warner, co-chairmen of the amusement division, and the members of the various committees for their efforts.

The chairman pointed out that as a result of the effort of the amusement group, numerous new names have been added to the rolls of Federation contributors, and it obtained substantial increases from past contributors.

"The amusement industry drive was essentially a group effort, of which all in the trade may well be proud," Proskauer's report said.

Speaking on behalf of the 116 medical and social welfare agencies, the thanks of the Federation were extended to the industry by Benjamin J. Buttenwieser, president of the New York Federation, and Hugh Grant Straus, president of the Brooklyn Federation.

Readers' Say-So

You're Welcome, Judge Proskauer

Editor, Motion Picture Daily:

With the Federation campaign just over, I do want to take this occasion to extend to you, on behalf of myself, the officers of the two Federations and the trade leadership, heartfelt thanks for the cooperation extended to us through your publication.

Federation is deeply indebted to the trade press, and particularly to y[illegible] paper, which has always been so h[illegible]ful in placing the story of the 116 affiliated charities before a most responsive group of readers. Through your fine coverage of our campaign events, you rendered a distinct public service, which we believe contributed directly to the success of the drive.

I do hope we may look forward to enjoying your cooperation for many more years to come, and again let me assure you of our warm appreciation for all you have done.

Joseph M. Proskauer
1940 Federation Campaign Chairman

Suggests Aid for Spain

Editor, Motion Picture Daily:

A cable came to us today from Santander, where the hurricane and fire demolished hundreds of homes, and made 30,000 homeless. All this to add to their already miserable plight.

However, that is aside from the point. I would like to make a suggestion, being one whose contact with Latin people dates back 30 years.

The motion picture companies have frozen assets in Spain. Were they to release a part of their money to General Franco for the rehabilitation of Santander, a finer gesture could not be made. It would pave the way towards a bigger and better understanding between that Government and the motion picture industry. Remember, it would not be for the present regime, but for the relief of the suffering. Besides—and I know the Spaniards—they would be eternally grateful and would cooperate better.

Columbia R. Sileo
Cosmo-Sileo Co.

McConville to S. A.

J. A. McConville, Columbia foreign manager, left by plane Friday for a months' trip to Latin American offices.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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DAILY NEWS, FRIDAY, FEBRUARY 21, 1941

All-Night Test O.K. at Roxy

Box office officials at the Roxy Theatre announced early today they were more than gratified at the response to their experiment of keeping open all night for the first showing of "Tobacco Road." At the start of the 3:10 A. M. performance they reported 1,100 patrons on hand. The theatre's seating capacity is 6,000.

been woven into their story. Charley Grapewin's intensely in-

OPEN
ALL NIGHT
ROXY
At Last... It's on the Screen
TOBACCO ROAD
CHARLEY GRAPEWIN MARJORIE RAMBEAU GENE TIERNEY WM TRACY
DARRYL F. ZANUCK
JOHN FORD
and BIG REVUE ON STAGE
WORLD PREMIERE
At last It's on the screen!
At Last... It's on the screen!
20th CENTURY FOX

11 Arbitration Cases Brought In Three Weeks

(*Continued from page 1*)

ings. In this respect, it was pointed out that as much could be accomplished in the way of adjustments by exhibitors with well founded grievances if they were brought to the attention of company authorities before a demand for arbitration was made as they would later. The mere fact that a complaint was on file would not better the chances of a settlement for an undeserving case, it was said.

First in Washington

The complaints filed to date consist of two with the Washington board, including the first one of record; two with the Chicago board, two at Detroit and one each at Cleveland, Boston, Denver, New York and New Orleans.

Paramount, 20th Century-Fox, Warners are named in eight of the 11 complaints, RKO in six and Loew's in five. United Artists, which is not a party to the decree and therefore not obligated to participate in arbitration, is named along with Loew's, 20th Century-Fox and Warners in the Baltimore Westway complaint, one of those on file in Washington.

Present Deals Unaffected

Trade authorities believe that the comparatively small number of complaints filed to date is due largely to the fact that arbitration awards made at this time promise no relief to a complaining exhibitor even though he wins his case, since the decree specifically provides that existing contracts are not affected by arbitration awards. Moreover, awards won now are regarded as of dubious value even as a precedent or guide for next season's contracts, since selling conditions under the decree may alter exisiting conditions so much as to make such awards meaningless under new season playing conditions.

Denies Baltimore Case to Be Settled

BALTIMORE, Feb. 23.—Reports that the Walbrook Theatre Company's clearance complaint against 20th Century-Fox, Warners and the Durkee Circuit, the first to be filed under the industry's new arbitration machinery, would be settled before progressing to a hearing were denied here today by Thomas Goldberg, president of Walbrook. J. Purdue Wright, attorney for Goldberg, made a similar denial.

Committees Named For Columbus Club

COLUMBUS, O., Feb. 23. — Virgil Jackson, recently elected chief barker of the local Variety Club, has named the following committee chairmen: house, Al Redman; membership, C. Harry Schreiber; finance, Jacob Luft; welfare, P. J. Wood; publicity, John Bancroft; golf, Lee Hoffheimer; activities, James Hale, and mobile unit, Lou Holleb. Holleb and Ben Almond were named delegates to the national convention.

Congress Hears Tribute to Screen Aid on President's Birthday Parties

Washington, Feb. 23.—Appreciation of the industry's contributions to the programs attendant upon President Roosevelt's inaugural and birthday ball celebrations has been voiced in the Senate by Senator James M. Mead of New York and in the House by Representative Lawrence J. Connery of Massachusetts.

The remarks of both were printed in the Congressional Record. The legislators, in addition to acknowledging the presence and contributions of the Hollywood and New York personalities who participated in the January entertainments, expressed their appreciation of the efforts of industry executives who cooperated.

Of the latter, those named included Joseph M. Schenck, chairman of 20th Century-Fox; Carter Barron, Loew Theatres division manager in Washington, Y. Frank Freeman, Paramount studio head; Louis B. Mayer, M-G-M studio head; Jack L. Warner, head of Warner Bros. studio, and Ned E. Depinet, vice-president of RKO.

Ontario Censor Saw 497 Films Last Year

TORONTO, Feb. 23.—During the year ending Dec. 31, the Ontario Board of Moving Picture Censors examined 497 features in which the dialogue is in the English language. Of this number 455 feature pictures were imported from the United States and 42 from Great Britain. Exports from the latter country are being maintained, according to the censorship figures, in spite of the war.

Of the English-language features, 91 per cent were from the United States. With the exception of a number of French features, which are examined in the Province of Quebec in a proxy arrangement for the Ontario Board, the number of foreign features was practically negligible during 1940.

2 RKO Executives On Tour for Drive

Harry Michalson, short subject sales manager for RKO, will leave on a tour of all exchanges in the United States and Canada tomorrow, in the interests of the Ned E. Depinet sales drive.

Accompanying Michalson will be Leo Devany, captain of the drive. Gus Schaefer, Northeastern district manager, will accompany the two on visits to branches in his territory. They will end their tour April 5.

N. Y. Censor Overruled

ALBANY, Feb. 23.—The N. Y. State Board of Regents ruled Friday that the censor board should grant a license to Jewel Productions' "Kidnapping Gorillas." The board, however, upheld the censors' ban on "Life on the Hortobagy," dismissing the appeal of Eureka Productions.

Asks Quiz in Col. Suit

Application to examine Columbia Pictures officers was filed Friday in N. Y. Supreme Court by Minnie Saltzmann-Stevens, plaintiff in a $100,000 damage suit. She claims unauthorized use of her photograph in "I'll Take Romance."

Plan Iowa Greek Drive

DES MOINES, Feb. 23.—Exhibitors, exchange men and the board of the I.T.O. of Iowa and Nebraska met at the Hotel Savery yesterday to plan the Iowa theatre drive for Greek relief, March 25-30.

U. S. Weighs Added Amusement Taxes

(*Continued from page 1*)

the 20-cent exemption were more than $26,000,000 greater than in the same period a year earlier, and while some of this increase is admittedly due to better business conditions the greater part of it came from the field of amusements with admissions between 21 and 41 cents.

Whether the Treasury will want to go into these fields for more revenue, however, will depend upon the determination of how much can be raised from other sources.

Pictures Studied For Effect Award

HOLLYWOOD, Feb. 23.—A committee of technicians recently has studied a number of productions from among which will be selected one to receive the Academy Award for Special Effect Achievement.

The films from which they will choose include: "The Blue Bird," "Boom Town," "The Boys from Syracuse," "Dr. Cyclops," "Foreign Correspondent," "The Invisible Man Returns," "The Long Voyage Home," "One Million B.C.," "Rebecca," "The Sea Hawk," "Swiss Family Robinson," "The Thief of Bagdad," "Typhoon" and "Women in War."

SMPE Convention Committees Named

Committees have been set for the 1941 Spring Convention of the Society of Motion Picture Engineers, to be held at the Sagamore Hotel in Rochester, May 5 to 8.

Program and facilities will be in charge of Emery Huse, S.M.P.E. president; E. A. Williford, Herbert Griffin, W. C. Kunzmann, George A. Blair, Sylvan Harris, Julius Haber, James Frank, Jr., and H. F. Heidegger.

Warners Sue on Book

PHILADELPHIA, Feb. 23.—An injunction to restrain MacRea-Smith Co., local publisher, from issuing a book, "Two Feet from Heaven" by Percival Christopher Wren was sought in Common Pleas Court here Friday by Warners. The action alleges the book is an infringement of "One Foot in Heaven," film rights to which were purchased by Warners.

'Smith' Smash Los Angeles Hit, $29,000

LOS ANGELES, Feb. 23.—"Mr. and Mrs. Smith" and "The Lone Wolf Keeps a Date" were real hits here, taking a total of $29,000 at two houses, $13,000 at the Hillstreet and $16,000 at the Pantages.

Estimated takings for the week ending Feb. 19:

"Western Union" (20th-Fox)
"Ride, Kelly, Ride" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $11,300. (Average, $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c to $1.65) 7 days, 3rd week. Gross: $14,000. (Average, $17,000)
"Cheers for Miss Bishop" (U. A.)
4 STAR—(900) (44c-55c) 6 days, 5th week. Gross: $2,500. (Average, $3,250)
"Mr. and Mrs. Smith" (RKO)
"The Lone Wolf Keeps a Date" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $13,000. (Average, $6,500)
"Western Union" (20th-Fox)
"Ride, Kelly, Ride" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $15,500. (Average, $14,000)
"Mr. and Mrs. Smith" (RKO)
"The Lone Wolf Keeps a Date" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $7,000)
"Virginia" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Bob Crosby and His Orchestra with the Bob Cats. Gross: $18,000. (Average, $18,000)
"Strawberry Blonde" (W. B.)
"Father's Son" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $12,200. (Average, $14,000)
"Strawberry Blonde" (W. B.)
"Father's Son" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $12,100. (Average, $12,000)

Army Officer West On Training Films

WASHINGTON, Feb. 23. — Major General J. O. Mauborgne, Chief Signal Officer, left today for Los Angeles, where he will confer with producer representatives on the series of training films the studios are to make for the army. He will confer with officers of the Research Council of the Academy of Motion Picture Arts and Sciences, which has charge of Army film production.

To Discuss Kodachrome

HOLLYWOOD, Feb. 23.—Kodachrome improvements will be discussed before the Pacific Coast Section of the S.M.P.E. here Tuesday. Speakers include Roy S. Leonard, Carroll Dunning and L. R. Martin of Eastman Kodak.

'Moko' Benefit Opening

"Pepe Le Moko," French film released here by Arthur Mayer and Joseph Burstyn, will have its American premiere March 3 at the World Theatre. Prices will be scaled to $10, as a benefit for the France Forever fund.

Pollock Due This Week

Louis Pollock, Universal Eastern advertising and publicity manager, will leave Miami tomorrow for the home office, ending a vacation which followed the recent Miami opening of "Back Street."

AGMA Seeks Other Union Aid in Fight

American Guild of Musical Artists officials were said over the weekend to be engaged in a last minute effort to rally support from other talent unions in AGMA'S dispute with the American Federation of Musicians. James C. Petrillo, A.F.M. president, has set Saturday as the new deadline for concert instrumentalists to join his union.

AGMA is reported to be seeking an agreement from Screen Actors Guild, American Federation of Radio Artists and Actors Equity by which their members would refuse to play with A.F.M. members if the latter enforced the deadline. Informed sources, however, said that there was little likelihood of such development. Four-A unions are not seeking to precipitate another industry-wide jurisdictional dispute, it was said.

Meanwhile, Henry A. Friedman, A.F.M. attorney, explained that the March 1 date had been set because AGMA's motion for a temporary injunction had been denied and no appeal could be taken. He said that AGMA was appealing from a decision dismissing its bill of complaint but could not appeal from the refusal of the injunction order.

Theatres Win Delay On Wis. Daylight Bill

MADISON, Wis., Feb. 23.—What appears to be a victory for exhibitors in their opposition to the Wisconsin daylight saving bill is seen in the recommendation by the Senate Committee on State and Local Government that the measure be indefinitely postponed. Exhibitors, in a hearing before the committee, had contended that adoption of the measure would lead to confusion in time.

Another measure of interest to the theatre industry is the Westfahl bill, which seeks to establish a 40-cent an hour minimum wage for every non-farm worker in Wisconsin. The measure would amend and recreate the present minimum wage statute, which is limited to women and minors and lacks a specific hourly wage provision.

RKO Will Release 3 Subjects on S.A.

Three short subjects, produced by RKO Pathe, dealing with Nazi activities in South America, will be released by RKO, Ned E. Depinet, RKO vice-president, announced yesterday. The three subjects, filmed by Julien Bryan, who also is narrator, are titled: "Eyes on Brazil," "What's Happening in Argentina?" and "The Swastika in Chile." The national release dates are, respectively, Feb. 21, March 21 and April 18.

SWG in Survey on Bargaining Points

HOLLYWOOD, Feb. 23.—The Screen Writers Guild is conducting a survey of members regarding their position on minimum salary, elimination of flat deals under $5,000 and other problems for use by the bargaining committee in the forthcoming negotiations for a new contract with producers to supplant that expiring April 10.

Feature Reviews

"In Old Colorado"

(Paramount-Sherman)

Hollywood, Feb. 23

HARRY SHERMAN, producer of the Hopalong Cassidy stories for Paramount release, has injected much more comedy into "In Old Colorado" than in previous offerings. Building up the role of Andy Clyde, used in several previous offerings as a companion of William Boyd (Cassidy) and Russell Hayden (Lucky), to the overshadowing of the latter, Sherman also used Cliff Nazarro, double talk expert, as one of the characters.

Others in the cast are Margaret Hayes, who supplies the slight romantic interest; Morris Ankrum, Sarah Padden, Stanley Andrews, James Seay, Morgan Wallace, Weldon Heyburn and Eddy Waller.

The picture is alive with action, and holds up its suspense to the end. The story deals with a fight between ranchers and nesters, who fight over land and water, and their ultimate discovery that the trouble is caused by neither group. Howard Bretherton directed.

Running time, 67 times. "G."* VANCE KING

"Prairie Pioneers"

(Republic)

ANOTHER Western adventure with the popular exponents of prairie righteousness, "The Three Mesquiteers," this is not as exciting as previous pictures with Robert Livingston, Bob Steele and Rufe Davis. The dashing trio performs as smoothly as in any of their previous efforts but the story lacks robust action and the situations have not attained a sufficient degree of tension.

The story concerns Spanish vaqueros (cowboys), who, under the misapprehension that American settlers in California are there for no good, attempt to drive them off. The heroes find a fifth columnist among the Spaniards who is causing all the trouble and the dispute is settled.

Lester Orlebeck is responsible for the direction. Louis Gray was associate producer.

Running time, 58 minutes. "G."*

"Outlaws of the Rio Grande"

(Producers Releasing Corp.)

HARD riding and a number of rough-and-tumble fist fights enliven this story of Tim McCoy's capture of a gang of counterfeiters. Tim, a U. S. marshal, is aided in the manhunt by the Mexican secret service which also is trying to track down the gang.

Tim picks up the trail after his pal, Ken Duncan, is seized by the gang. Aided by Ralph Peters, who supplies the comedy, Tim discovers the gang's hideout. He is trapped, however, when Virginia Carpenter, a Mexican serving girl, delivers him to the gang in an effort to save her father.

The action is fast throughout and should please Western fans who want something happening every foot of the film. Others in the cast include Charles King and Karl Hackett, the bad men; Rex Lease, Phillips Turich, Frank Ellis, Thornton Edwards and Joe Dominguez.

Sigmund Neufeld produced and Peter Stewart directed.

Running time, 53 minutes. "G."* EDWARD GREIF

** "G" denotes general classification.*

Census Bureau Hits Snag in Issuing Theatre Data Without Violating Law

Washington, Feb. 23.—The Census Bureau, which last week completed a preliminary analysis of the 1939 census of film houses, is finding it difficult to show business by states without disclosing the operations of some of the smaller circuits.

In the 1933 and 1935 canvasses, the bureau's state and city figures brought protests in areas where business was largely controlled by one national and one local circuit. It was said that the national circuit, could subtract its own figures from the total and approximate the business of its competitor. Census officials are prevented by law from disclosing the operations of any single individual or firm. It may be necessary to withhold specific figures in certain states, and to issue statistics covering two or more states as a group.

Opera House Same As Theatre in Mo.

St. Louis, Feb. 23. — The Missouri Supreme Court has held that St. Louis County cannot impose a license tax on film houses. The St. Louis Amusement Co. successfully claimed exemption under a statute of 1885 which provides that no tax may be levied on a performance held in an opera house. The court ruled the phrase "opera house" to be synonymous with "theatre."

A. G. V. A. Asks Boost If Living Costs Rise

All future contracts of more than a year's duration must provide for increased wages if the index of living costs rises, the American Guild of Variety Artists board has decided. The new provision will be incorporated in all contracts signed in the future, it was said. The U. S. Department of Commerce issues an index of living costs at regular intervals.

AGVA plans a drive to organize night clubs and restaurants in the New York area, especially in Brooklyn and Queens. Among other new developments reported was the requirement that all AGVA locals drop any booking offices which they may have established. The national board takes the position that AGVA is engaged in licensing legitimate talent agencies and that the union should not compete with them.

Dismiss Petition of Operators' Union

The State Labor Relations Board has dismissed the petition of Metropolitan Projectionists Union for certification as collective bargaining agency for projectionists employed in six Long Island houses operated by Casey & Wheeler Theatres as part of the Prudential Circuit.

Both Local 306 and Empire State Operators Union opposed the petition on the ground that there is no need for an additional union in this area. The theatres involved included the State, Ozone Park; Garden, Springfield Gardens; Farrell, Ozone Park; Park, South Ozone Park; Bellaire, Bellaire, and Hollis, Hollis. The new union was organized by some of the projectionists in the six houses involved.

Minnesota Theatre Shut in Minneapolis

MINNEAPOLIS, Feb. 23.—The Minnesota Theatre, opened on Jan. 1 by the Middle States Theatre Corp., under a vaudeville-film policy, closed on Thursday. Louis Armstrong and his orchestra, booked for a week, was cancelled. The theatre has shown an almost consistent loss since its opening.

M-G-M Gets 2 from RKO

HOLLYWOOD, Feb. 23.—M-G-M has acquired the remake rights from RKO for Edna Ferber's "Cimarron" and "Rio Rita," the latter a musical.

Thank You **F**

and **ROB**

for **'MEET**

ANK CAPRA

RT RISKIN

JOHN DOE’

Warner Bros.

Ascap Names Committee on Network Pact

(*Continued from page 1*)

dent of the National Association of Broadcasters, late last week, notifying the latter that Ascap was willing to begin negotiations on whatever basis is imposed by the consent decree accepted by the society. Miller said that the broadcasters would be informed of this and their answer would be given to Ascap later.

Seven on Committee

On the negotiating committee named by the Ascap board are the following: Buck, E. C. Mills, John G. Paine, Walter Fischer, Oscar Hammerstein II, J. J. O'Connor and Herman Starr. The committee held its first meeting on Friday and began its study of the changes in contractual formulae and negotiating procedure required under the decree.

The N. A. B. likewise is reported to be prepared to call a meeting of its negotiating committee to begin similar preparations for negotiations. Both sides are expected to require at least a week or 10 days to study the effect of the decree on their coming negotiations.

Decree Hearings Soon

Indications over the weekend were that the Department of Justice would be ready within a day or two to file its new anti-trust suit against Ascap in Federal court here and hand up the consent decree immediately afterward. Public hearing on the decree would be set for a week or 10 days later.

On Friday, 13 songwriters filed a request with the Federal Communications Commission asking an amendment of its regulations to prevent radio networks from publishing music, as is being done in the case of Broadcast Music, Inc. They also opposed the renewal of licenses for 23 stations affiliated with CBS and NBC, on the ground that the stations were not being operated in the public interest.

CBS Gives Impetus To Color Television

(*Continued from page 1*)

Systems Committee hearings before the FCC last month, James L. Fly, chairman, declared the commission expected that the companies would continue to study color television. The FCC hearing on commercialization for television broadcasting takes place March 20 and there is a likelihood that RCA may have a color demonstration before that time.

Vacancy on FCC Seen Filled Soon

Washington, Feb. 23.—Possibility that President Roosevelt is considering filling the vacancy on the Federal Communications Commission is foreseen in a visit of chairman James L. Fly to the White House. This was the first time Fly had been to the White House.

Off the Antenna

RADIO'S role in national defense will be the chief topic under consideration at a meeting of the NBC Advisory Council on Friday. The Council was organized 14 years ago to guide NBC in matters of public policy. Specific consideration will be given not only to radio as a means of communication but also as a method of maintaining civilian morale.

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Purely Personal: *Otto Brandt has been named assistant to the manager of the NBC-Blue station relations department. . . . Roberto Stigrich, Mutual South American representative, has returned from a trip through Latin American countries for conferences at the home office. . . . Edgar Jacobs has joined the WBAC program staff. . . . Katherine MacKillop has been named assistant sales promotion manager of WEEI, Boston.*

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Continuing its tests on different methods of synchronization, NBC this week will again limit its telecasting to two days. On Friday night there will be wrestling from Jamaica Arena and on Saturday the Inter-collegiate 4-A track meet at Madison Square Garden.

• • •

WAGE, a new station to be opened in Syracuse, N. Y., will become a basic affiliate of Mutual when it goes on the air late in March, it was disclosed over the weekend by Frank G. Revoir, president of the Sentinel Broadcasting Corp., licensee of the station, and Fred Weber, Mutual general manager. The station will have studios and offices in the Loew Theatre Building, Syracuse, and will operate on 620 k.c. with 1,000 watts, full time. William T. Lane will be executive vice-president and general manager of the new station.

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Program News: *Colgate-Palmolive-Peet announced over the weekend that its "Myrt and Marge" program would be continued despite the recent death of Mrs. Donna Damerel Fick, who played the role of "Marge." . . . WMCA has signed Jimmy Powers, sports editor of the* DAILY NEWS, *and Les Bromberg, boxing writer on the* WORLD-TELEGRAM, *for two new program series. Powers will be heard daily beginning March* 17 *in "The Powerhouse of the Air," while Bromberg will start Thursday at* 8:30 *P.M. in a twice-weekly program called "Sportscope."*

Nazis Yell 'Kamerad' As Stunt Backfires

The German Government finally yelled "kamerad" Saturday night, it was reported, to the huge ridicule campaign it had engineered against itself, when it asked via short wave for messages from America, sent collect. In the six days before the offer was rescinded, ill wishers sent all kinds of ridiculous replies to Germany.

Many asked when Hitler was to be killed, and why it wasn't soon. Others asked for his funeral date, and some pointed to Goering's enormous girth, while the rank and file of Germans are on rations. The stunt which backfired on the Germans cost them around $100,000, at $2.19 per message, according to estimates. That sum would cover approximately close to 50,000 messages. The Germans, however, claim that although every story printed in the U. S. press snickered at the German stunt and nearly all the messages were derogatory, they consider it worthwhile propaganda because they landed space in the newspapers here. Ridicule or not, they got space, they aver.

"Which is just another German viewpoint," as one observer stated. "It's upside down to the world but all right to the Germans."

Ascap Asks Dismissal

Ascap on Friday filed application in N. Y. Supreme Court to dismiss the suit against it of Leo Ascher, Hermann Leopoldi, Franz Sobotka and Ladislas Szucs for $57,994. The move will test the plaintiffs' right as former members of A. K. M., Norwegian affiliate of Ascap, to seek funds from Ascap on the claim that they had previously secured a judgment against A. K. M.

Completes Novel

Estelle Schrott, formerly with United Artists' publicity department, has completed a novel, "High Noon."

NBC and CBS Issue Maps On Coverage

In what appeared to be an outbreak of a battle of statistics, both NBC and CBS over the weekend announced that surveys had been completed in every county of [illegible] country and that new cove[illegible] maps would be issued shortly.

NBC has discarded the designation of primary and secondary coverage and lists a station's coverage as that area where there are at least 75 per cent of the number of sets in key cities where Crossley and Hooper surveys are now conducted. CBS, on the other hand, designates a primary area as one where 67 to 100 per cent of the sets are tuned to a CBS station, 33 to 66 per cent making it a secondary area and 10 to 32 per cent an "occasional" area.

Frank Stanton, CBS director of research, pointed out that the NBC figures of 75 per cent referred to a percentage of sets actually in use while the CBS figure of 67 per cent referred to all radio families. As a result, Stanton concluded, the NBC figure of 75 might in reality be only 45 per cent of all radio families.

These four points were emphasized in the CBS statement: it is the first survey of every county and every population center within such counties in the country; it covers the audience by income levels; it gives the actual weekly circulation of each station, and is based on a complete family report.

The hero of "Wuthering Heights" and "Rebecca" is the perfect lover for That Hamilton Woman!

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

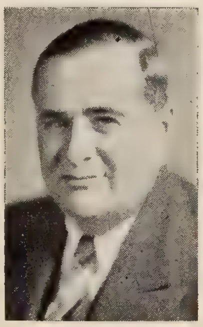
First in
Film and
Radio News
Brief,
Accurate
and
Impartial

L. 49. NO. 38 NEW YORK, U. S. A., TUESDAY, FEBRUARY 25, 1941 TEN CENTS

Republic Will Offer 60 Films Next Season

Includes 30 Westerns; Plan Four Serials

Los Angeles, Feb. 24.—Republic will offer a program of 30 features, 30 Westerns, four serials and 12 short subjects for the 1941-'42 season, James R. Grainger, president, announced here today at the first of a series of five regional sales meetings, including one to be held in Canada.


James R. Grainger

No titles or properties have been announced for the new program, Grainger explaining that the company's policy will be to make detailed announcements at the

(*Continued on page 6*)

Coin Machine Films Under Pa. Censors

Philadelphia, Feb. 24. — Mrs. Edna R. Carroll, chairman of the Pennsylvania censor board, has announced that all films for slot machines are subject to the censorship regulations covering all other pictures for exhibition in the state.

At the request of the censor board, State Attorney-General Claude T. Reno handed down an opinion over the weekend which stipulated that all 16-mm. films, or any other width films used in commercial slot machines, must be approved by the state censor board.

Jam Session

Minneapolis, Feb. 24.
Minneapolis Symphony Orchestra musicians were chuckling about a sign on the Orpheum Theatre marquee when they arrived there to play a concert on their current tour.

The sign, left from the last stage show, read: "Stage Jamboree — Screwballs of 1941."

It was changed before the concert started.

N. J. Theatre Sues Majors; Weighs Crescent Dismissal

Nashville, Feb. 24.—Federal Judge Elmer Davies today took under advisement a motion to dismiss the Government's amended complaint against Columbia, Universal and United Artists in the anti-trust suit against the Crescent Amusement Co. of this city.

Argument was closed on the motion and on the Crescent company's objections to certain of the Government's interrogatories seeking detailed information concerning assets, liabilities, manner of operation and contracts of Crescent and its affiliated theatres.

Judge Davies indicated he would hand down his decision on the motion to dismiss in "a day or two." Louis D. Frohlich, Columbia's New York attorney, appeared for the distributors.

Jorgensen Verdict In Dallas Set Aside

Dallas, Feb. 24.—Federal Judge William Atwell today set aside a jury verdict awarding H. N. Jorgensen of this city triple damages of $1,500 in one of several anti-trust suits brought against Interstate Circuit.

The court dismissed the case with prejudice. Attorneys for both sides declined to say whether there had been a settlement, but indicated that a statement might be made tomorrow.

Interstate had asked for a rehearing of the case involving the verdict in Jorgenson's favor.

First anti-trust suit against the major companies since the signing of the Government consent decree in the New York case was filed yesterday in the U. S. District Court here by Hillside Amusement Co., operator of the Mayfair Theatre, Hillside, N. J., seeking $900,000 triple damages. The complaint reiterates to a large extent the charges of monopoly and conspiracy which were made in the Government's original anti-trust action.

The plaintiff claims that Warner Bros. Circuit Management Corp. by reason of alleged conspiracy on the part of all defendants, including the Motion Picture Producers and Distributors of America, has secured a virtual monopoly in northern New Jersey and has allegedly imposed "unjust, unreasonable, unconscionable, and oppressive limitations, both as to time and area, regarding run, protection, clearance and zoning" upon independent exhibitors situated in the same general area. The complaint says further that the Mayfair was relegated to an inferior position as to both competitive and non-competitive affiliated theatres.

The defendants, with the exception of Columbia, Universal and United Artists, are charged with "extorting large sums of money from the plaintiff" for score charges on alleged representations that the royalties were to go to entirely independent companies such as RCA, Western Electric and Erpi. These statements were

(*Continued on page 6*)

Violations Result in Late Release of Award Winners

Hollywood, Feb. 24.—Because of violations of release last year, the Academy of Motion Picture Arts awards winners will not be disclosed until they are announced at the awards banquet here Thursday night.

Eastern newspapers and radio networks are expected to enter objections due to the lateness of the hour because of the difference in time and the necessity of meeting deadlines, but the Academy board of governors ruled today that the new arrangement will stand. Events on the program will, however, be expedited to minimize dislocations caused Eastern newspapers.

In previous years the press across the country was furnished the names of winners in advance of the actual awards presentations, subject to release at 11 P. M. in all zones. Breaking of the release last year by the *Los Angeles Times* and Station

(*Continued on page 6*)

Hedda Hopper to Make Para. Shorts

Hollywood, Feb. 24.—Hedda Hopper, actress, newspaper columnist and radio commentator on films, will be featured in "Hedda Hopper's Hollywood," a series of six single-reel subjects for Paramount release. Herbert Moulton, formerly in charge of trailer production for Paramount, will produce the shorts independently, he said today, and the releasing deal may be extended to three years. Miss Hopper will appear in the films and also deliver the commentary.

Holiday Booms Box-Offices On Broadway

Product, Clear Weather Help Boost Takes

George Washington's birthday, falling on Saturday, helped swell the weekend grosses of new, high grade product at all Broadway film houses. The good, clear weather contributed to the business improvement.

"Tobacco Road" on Saturday almost made the Roxy walls bulge with traffic, as it grossed upwards of $17,000. From Thursday through Sunday, this 20th Century-Fox picture garnered an estimated $44,000, which is very big.

"Mr. and Mrs. Smith" played "above capacity" at the Radio City Music Hall on Saturday, when it grossed $22,000, and from Thursday through Sunday attracted a handsome $63,000. Both the Roxy and the Radio City Music Hall have their usual stage shows.

Another stage show house, the Strand, according to Warner Bros. officials, set a new one-day record on Saturday when "Strawberry Blonde" grossed $12,000. From Friday through Sunday, the home office announcement states, the picture grossed $29,000 and will stay two and maybe three weeks

(*Continued on page 6*)

Great Neck House Files on Clearance

Second demand for arbitration to be filed in New York was made to the local board yesterday by Herbert Scheftel, operator of the Squire, Great Neck, L. I.

Naming all five consenting companies, Scheftel charges that the 30-day clearance granted by them to the Playhouse, Great Neck, is unreasonable and should be reduced. The

(*Continued on page 7*)

Five Reviews Today

Four features are reviewed today by *Motion Picture Daily's* Hollywood reviewers: "Nice Girl?," "The Hard-Boiled Canary," "Ellery Queen's Penthouse Mystery"—Page 4; "Blondie Goes Latin"—Page 6. "It Happened to One Man" is reviewed on Page 6.

Coast Flashes

Hollywood, Feb. 24

BUSINESS representatives of I.A.T.S.E. studio locals today decided to ask Pat Casey, producers' labor representative, for the exact stand of producers on the question of demands for wage increases and changes in working conditions at a meeting with him on Thursday. Meeting with Harold V. Smith, Sound Technicians' representative and negotiating committee chairman, the agents concurred in a plan to push the negotiations, pending for some time. A decision whether to ask the I.A.T.S.E. for assistance depends on the studios' stand, a spokesman said.

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J. J. Curry, formerly branch manager for Paramount in Oklahoma City, today was appointed sales representative in the Los Angeles district for the newly formed Paramount short subjects and news sales department.

•

Ewing Scott, writer-director, and Mala, Eskimo actor, left today by plane for Seattle en route to Point Barrow, Alaska, to make "Son of Nanook" for Republic. Camera and sound crews will follow. The company expects to spend six months on location. Scott and Mala 10 years ago went to Alaska to make "Igloo" for Republic.

•

Kay Harris, Cincinnati stenographer, has been signed by Columbia to play the title role in the "Tillie the Toiler" series.

Personal Mention

N. L. NATHANSON, head of Famous Players Canadian, is in town after a Florida vacation.

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MATTHEW FOX, Universal vice-president, leaves for the Coast tomorrow.

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MR. and MRS. LEONARD GOLDENSON have returned from Florida.

•

ROBERT J. O'DONNELL is in town from Dallas.

•

FRANK H. DURKEE Baltimore circuit operator, is spending the remainder of the Winter in Florida.

•

HARRY E. WEINER, Philadelphia branch manager for Columbia, returned from Florida yesterday.

•

LEO BONOFF, operator of the Madison and the Saybrook, New Haven, will leave for Miami next month.

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EDGAR MOSS, district manager for 20th Century-Fox in Philadelphia, has left for a vacation in Hot Springs, Ark.

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RUBIN SHAPIRO, operator of the Admiral, Philadelphia, became the father of a daughter last week.

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LAWLER J. SCHULTZ of the Warner circuit in Philadelphia and LENA WEICHEL of Scranton were married recently.

LEO SPITZ is in town, having returned from an extended stay on the Coast.

•

TOM CONNORS caught eight sailfish in the deep waters off the Florida coast.

•

JAMES BRACKEN, head of the Warner Theatres contract department in New Haven, is vacationing in Miami.

•

WILLIAM SMALLEY, head of the Smalley circuit of upstate New York, is in Miami.

•

GEORGE WELTNER, OWEN DAVIS, E. K. O'SHEA, MAX A. COHEN and M. A. SCHLESINGER lunching yesterday at Nick's Hunting Room in the Astor.

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MONROE GREENTHAL, BEN WASHER, MRS. JAMES MULVEY, SAM SHAIN, ARMAND SCHNECK, BETTY GOLDSMITH, HANK LINET, CHARLES ALICOATE, JOSEPH GALLAGHER, WALTER FUTTER, DAVE WESHNER and BENN JACOBSON at the Tavern yesterday for lunch.

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HARRY BRANDT, ALAN FREEDMAN, JOSEPH PINCUS, JACK GOETZ, and GEORGE BURNS lunching at Lindy's (51st St.) yesterday.

•

ABE SCHNEIDER, RUBE JACKTER, JOSEPH R. VOGEL, EUGENE PICKER, MARVIN SCHENCK, HARRY GOLD and JOHN WRIGHT having lunch at Lindy's (next to the Rivoli) yesterday.

•

J ROBERT RUBIN, RICHARD ALDRICH, FREDERIC LONSDALE, JOHN D. HERTZ, JR., TOM BUCHANAN, GUY BOLTON, RICHARD MARVIN and OSCAR DOOB, at Sardi's yesterday for lunch.

Consolidated Will Operate New House

Bliss Properties, Inc., of which Morris Jacobson is president, will operate a new 1,000-seat theatre planned for the corner of Eighth Ave. and 19th St. The house will be affiliated with Consolidated Amusement Enterprises, Inc. Burk & Krumgold negotiated the purchase.

Seeks to Enjoin W.B.

LOS ANGELES, Feb. 24.—An injunction suit to restrain Warners from exhibiting "The Sea Wolf" unless a special note is made calling attention that the characters are fictitious was filed today in Superior Court here by Louis Hansen, describing himself as a nephew of the late Capt. Alex McLean, said to be the original of Jack London's novel.

Menken to Orient

Arthur Menken, Paramount newsreel cameraman, arrived in San Francisco yesterday from New York and is awaiting clipper transportation for Hong Kong, from where he will proceed to Singapore. Developments are expected in that sector soon.

Plan Copelan Dinner

ATLANTIC CITY, Feb. 24.—A farewell dinner to Herbert L. Copelan, who recently resigned as general manager of Warner theatres here to head his own circuit in Florida, will be held Friday at the Shelburne Hotel.

"AS FOR ME, I LIKE TO RELAX"

Some folks may enjoy carrying around in their own heads all the worries of the world. Not so, smart showmen. Worries that can be delegated, they delegate—to people willing and able to take responsibility. To keep projection room equipment in the pink of condition, they know they need engineers, so they take Altec service—sound service and booth parts service. Take this time-tested way to relax: save all your energies for the prime job of showmanship. Change to Altec.

ALTEC
SERVICE CORPORATION
250 West 57th Street, New York City

CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

Among Other Things

Providence, Feb. 24.—Archibald Silverman, is, among other things, a banker, manufacturer, owner of the Strand Theatre and chairman of the local draft board. In his spare time he plays host to new draftees at the theatre.

Sees Extension of Cinema Club Idea

CINCINNATI, Feb. 24.—Social organizations of film and accessories salesmen, known as Cinema Clubs, will be formed in Kansas City, St. Louis, Minneapolis, Des Moines and Omaha within the next 60 days, according to Jack Stewart, Universal salesmen and president of the Detroit Club, here over the weekend. The clubs will be nationwide before the end of the year, he said.

Approximately 150 branch managers, salesmen and exhibitors attended the second annual installation dinner of the Cincinnati Cinema Club. Inducted were Rudy Knoepfle and Pete Niland, reelected president and secretary and treasurer, respectively; Mark Cummings and Joseph McKnight, first and second vice-presidents.

Players to Canada For Air Force Film

OTTAWA, Feb. 24.—To film "Bush Pilot," a picture depicting the story of Canada's "wilderness fliers" who left the rock and lake country of the Northland at the outbreak of war to join the Royal Canadian Air Force, Errol Flynn, Cary Grant, Burgess Meredith and Olivia De Havilland, it is stated, will come to Ottawa some time during the Summer for the filming of background scenes at the Rockecliffe, Uplands or Trenton Air stations. R.C.A.F. headquarters disclosed this today. "Bush Pilot" is now in preparation.

Ampa to Nominate Slate on Thursday

Ampa members at a luncheon business meeting at the Hotel Edison on Thursday will elect a nominating committee which will select a slate of officers for the ensuing year. Plans will be discussed for Ampa's Silver Jubilee dinner and dance April 4 at the Edison.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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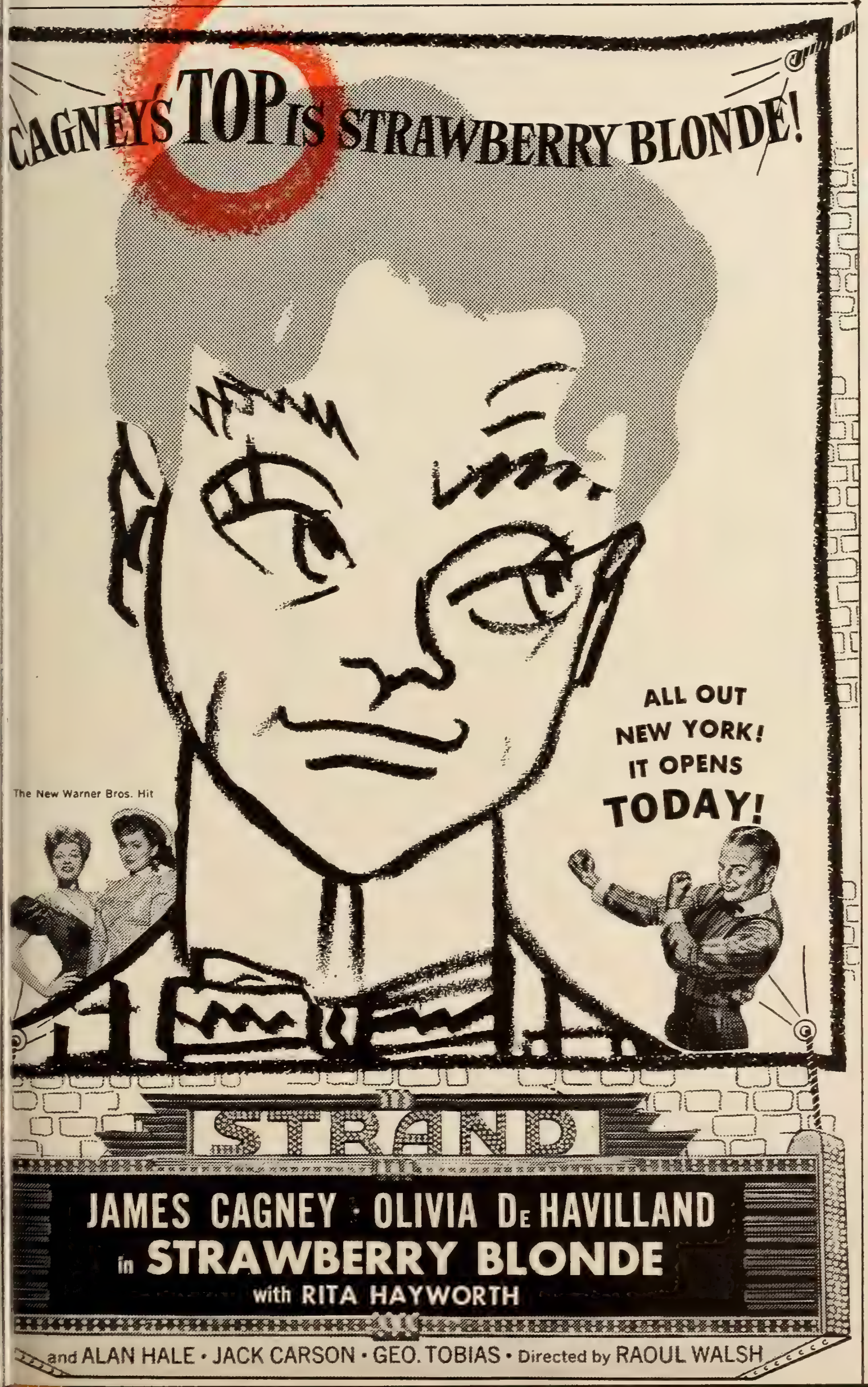
REALLY!

One of the unusual ads of N. Y. campaign. Mats available.



CAGNEY'S TOP IS STRAWBERRY BLONDE!

ALL OUT NEW YORK! IT OPENS TODAY!

The New Warner Bros. Hit

STRAND

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in STRAWBERRY BLONDE
with RITA HAYWORTH
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BIGGEST N.Y. STRAND SATURDAY OF ALL TIME!

Doors opened 8:30 A. M., closed 4 A. M. on the following morning! House capacity, 2800 seats; seats sold, 19,000 in one day!! S.R.O. practically every performance since!

WARNERS *again!*

Finish Eleven New Pictures; Ten Started

HOLLYWOOD, Feb. 24. — Forty-one pictures were before the cameras this week, as 11 finished and 10 started. Fifteen are being edited and 72 are in the cutting rooms.

The tally by studio:

Columbia

Finished: "Under Age," "North from the Lone Star."

In Work: "She Knew All the Answers," "Her First Beau," "Senate Page Boys."

Started: "Chain Gang."

Gloria

Finished: "New Wine."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde," "The Uniform."

Started: "Lady Be Good."

Monogram

Finished: "Sign of the Wolf."

Started: "Tumbledown Ranch in Arizona."

Producers Releasing

Finished: "Federal Fugitives."

Paramount

Finished: "Power Dive."

In Work: "One Night in Lisbon," "Caught in the Draft," "Kiss the Boys Goodbye," "Skylark."

Started: "Pioneer Woman," "Hold Back the Dawn," "Nurses Don't Tell."

RKO

Finished: "Repent at Leisure."

In Work: "Sunny," "Before the Fact."

Started: "Tom, Dick and Harry."

Republic

In Work: "Sis Hopkins," "Mr. District Attorney," "In Old Cheyenne."

Started: "Two-Gun Sheriff."

20th Century-Fox

Finished: "The Cowboy and the Blonde."

In Work: "Blood and Sand," "The Great American Broadcast."

Universal

Finished: "The Lady from Cheyenne," "Model Wife."

In Work: "The Flame of New Orleans," "Oh, Charlie," "Unfinished Business," "Double Date."

Started: "Hit the Road," "The Black Cat."

Warners

Finished: "Miss Wheelwright Discovers America."

In Work: "The Bride Came C. O. D.," "Affectionately Yours," "Sergeant York," "Three Sons O'Guns," "The Gentle People," "The Nurse's Secret."

Indiana Regulation Measure Seen Dead

INDIANAPOLIS, Feb. 24.—The House of the Indiana General Assembly has indefinitely postponed the bill of the Associated Theatre Owners of Indiana to curb "fly-by-night" entertainment through bonding and registration of transient promoters. The bill had been in committee several days. Indefinite postponement now is tantamount to killing the bill, since the session ends March 10.

Hollywood Reviews

"Nice Girl?"

(*Universal*)

Hollywood, Feb. 24

DEANNA DURBIN continues to delight with her singing and to grow up in point of material dealt with, performing here, more as actress, less as singing prodigy, a role that would tax most of the maturer leading ladies of motion pictures. Herein she is surrounded, too, by such talent as Franchot Tone, Walter Brennan, Robert Benchley, Helen Broderick and Elizabeth Risdon, to name the elder side of the cast first, with Robert Stack as the young man of the principal romance and Enn Gillis, Anne Gwynne, George Billings, Tommy Kelly and Marcia May Jones also present and accounting for their share of the entertainment.

The story, directed by William A. Seiter for producer Joe Pasternak, casts Miss Durbin as daughter of Benchley, who does a nice job of fatherly portrayal, sidetracked romantically from her devotion to Stack and enamoured of Tone, who visits her father and with whom she manages to return to the city by devices amusing enough to keep humor above emotion in the scale of values. Ultimately she returns to her first love, Stack, after quieting what threatens to become a town scandal. Stack has enlisted in the air corps, making plausible a finale in which she sings "Thank You America" to the troops.

In common with previous Pasternak productions starring Miss Durbin, this one glides gracefully and brightly along, getting its slight story told by means of incidents amusing in themselves. Like all of them, it also profits from the expert art direction of Jack Otterson. The star has five song numbers, which she handles with her usual skill.

Running time, 95 minutes. "G."* ROSCOE WILLIAMS

"The Hard-Boiled Canary"

(*Paramount*)

Hollywood, Feb. 24

DESIGNED to present in story setting the juvenile orchestra, chorus and soloists trained at Inter-Lochen, Michigan, this comedy-drama opens with a strip-tease performance on a burlesque stage, moves to the Michigan camp of the young musicians and closes with a grand opera sequence wherein the youngsters sing "Faust" in alternation and for a part of time in concert with an adult company singing "Carmen." It is at its best in the presentation of the musical prodigies, singly and in group, and weakest in the connective passages which work out the progress of the story fitfully.

Allan Jones, who sings one song; Susanna Foster, who sings several; Margaret Lindsay and Lynne Overman, who sing not at all; Grace Bradley, William Collier, Sr., and others supply the professional performances in the picture. Heimo Haitto, Kaye Connor, William Chapman, Richard Bonelli, Dolly Loehr, Richard Hageman, Irra Petina, Tandy MacKenzie, Deems Taylor and Patricia Travers, a young lady with a gift for comedy, portray themselves.

In the story, Allan Jones, son of the head of the music school, rescues a burlesque girl from a raid and, to prevent her being returned to a reform school, enrolls her as a student at the camp. There the young folks bring about a change in her views of life and it is her voice which saves the school from economic disaster.

Andrew L. Stone produced and directed the picture.

Running time, 80 minutes. "G."* ROSCOE WILLIAMS

"Ellery Queen's Penthouse Mystery"

(*Columbia-Darmour*)

Hollywood, Feb. 24

SECOND in the series of pictures based on the stories written by Ellery Queen, this film deals with several criminals who attempt to hi-jack jewels shipped to this country by Chinese patriots for sale in order to obtain money for starving refugees. Two murders are committed, mysterious Chinese appear and disappear and the solution is brought about by the customary grouping of all suspects at the climax.

Ralph Bellamy appears again as the detective-author, Margaret Lindsay as his secretary. Charley Grapewin as the police inspector, James Burke as an officer, also appeared in the first. Added to the cast are Anna May Wong, Eduardo Cianelli, Frank Albertson, Ann Doran, Noel Madison, Mantan Moreland and others.

Ellery Queen has a wide radio and book following, an item which should help the film's grosses. The story has little action and lags through much of its running time.

Larry Darmour produced for Columbia release, with James Hogan directing.

Running time, 65 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Boren Asks Wide Probe of Industry

Washington, Feb. 24.—Congressional investigation of the practices of the film industry and the influence of films upon economic, political and social life is sought in a resolution introduced in Congress today by Rep. Lyle H. Boren of Alabama. Boren seeks a five-man committee to conduct the investigation. He worked actively for the Neely bill in past sessions.

New York Sales Tax Spread Is Unlikely

ALBANY, Feb. 24.—Even though bills were introduced in the New York State legislature last week to give New York City power to continue imposing special municipal taxes until June 30, 1944, including its sales tax, spread of the latter impost to the entire state this year is considered unlikely.

The statewide sales tax bill, a three per cent retail plan with a 5 per cent levy on theatre admissions over 51 cents, seems doomed to die in committee, observers here believe. Both Senator Bewley and Assemblyman Whitney, co-sponsors of the bill and chairmen of taxation committees in their respective houses, carefully labeled the bill on introduction as "by request."

Eight New Films Win Approval of Legion

Eight of 11 new films have been approved by the National Legion of Decency, seven for general patronage and one for adults. Three were found objectionable in part. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage — "Andy Hardy's Private Secretary," "A Dangerous Game," "The Great Mr. Nobody," "In Old Colorado," "The Phantom Cowboy," "Prairie Pioneers," "Scattergood Baines." Class A-2, Unobjectionable for Adults — "Flight from Destiny." Class B, Objectionable in Part—"The Devil Commands," "The Monster and the Girl," "Tobacco Road."

'Dictator' National Release March 7

Charlie Chaplin's "The Great Dictator," will be nationally released by United Artists on March 7. Popular prices will prevail for the general release engagements, even in cities where the picture has not been shown previously at advanced admissions.

The national release date was governed by a guarantee given by United Artists to Loew's and other theatres which played the picture pre-release at advanced admission scales on terms of 70 per cent that it would not be shown at regular admission scales for six months afterwards.

Renews RCA Contract

Tri-States Theatres Corp., Des Moines, has renewed its RCA service contract covering 90 theatres.

"TEN BEST" ALL ON EASTMAN FILM

EVERY one of the Ten Best Pictures, selected in the *Film Daily's* critics poll for 1940, was made on Eastman Negative Films. This impressive record speaks for itself. In 1941, these exceptional films will continue to contribute to the success of outstanding screen productions. Eastman Kodak Company, Rochester, N.Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Republic Will Offer 60 Films Next Season

(*Continued from page* 1)

beginning of each quarter, in order to keep abreast of timely material.

The features will include six De Luxe productions; two Special Premiere films, starring Gene Autry, with Smiley Burnette and Mary Lee; eight Historical Westerns, starring Roy Rogers with George Hayes and Sally Payne; eight Three Mesquiteer productions starring Robert Livingston, Bob Steele and Rufe Davis, and eight Action Westerns featuring Don "Red" Barry. Two of the serials will be in 15 episodes and two will be 12 episodes. The shorts, to be released one each month, will be Harriet Parsons' series, "Meet the Stars," a Hollywood reel.

Salesmen and bookers left tonight, others remaining.

Yates, Grainger Speak

H. J. Yates, Grainger and M. J. Siegel, president of Republic Productions, are among the speakers at the meeting here. Grainger will also preside at the other regional meetings, which Yates will attend.

Attending the meeting here are J. T. Sheffield, franchise holder in the Northwest, and the following branch managers: Ed Walton, Seattle; J. H. Sheffield, Portland; Gene Gerbase, Denver; E. M. Loy, Butte; G. S. Pinnell, Salt Lake City; Sid Weisbaum, San Francisco; Francis Bateman, Los Angeles.

The second meeting will be held in Kansas City on Thursday and Friday. These managers will attend: Lloyd Rust, Dallas; Nat Steinberg, St. Louis; F. R. Moran, Des Moines; C. F. Reese, Omaha; with R. F. Withers, franchise owner in Kansas City; Gilbert Nathanson, franchise owner in Minneapolis and Sol Davis, franchise owner in Oklahoma City.

Third Meeting in Atlanta

The third meeting will be held in Atlanta on March 3 and 4. Attending will be: A. C. Bromberg, franchise owner of the Southern division, and Managers L. V. Seicshnaydre, New Orleans; W. M. Snelson, Memphis; Henry Glover, Atlanta; J. H. Dillon, Charlotte, and H. V. Laird, Tampa.

The fourth meeting will be held in New York on March 6 and 7. The following will attend: Managers Arthur Newman, Albany; Jack Bellman, Buffalo; Morris Epstein, New York; M. E. Morey, Boston; Sam Seletsky, New Haven; Max Gillis, Philadelphia; Sam Seplowin, Detroit; Jake Flax, Washington franchise owner; J. H. Alexander, Pittsburgh franchise owner; Nat Lefton, franchise owner in Cleveland and Cincinnati, and managers Sam Gorrel of Cleveland and George Kirby of Cincinnati.

Indianapolis Triplets

INDIANAPOLIS, Feb. 24.—Triple bills are being used here. The Fountain Square, de luxe neighborhood managed by Earl Cunningham, is trying them one night a week, called "Pre View Night," and the Apollo, downtown subsequent run, has "The Bank Dick," "Four Mothers" and "Calling All Men."

Feature Reviews

"Blondie Goes Latin"

(Columbia)

Hollywood, Feb. 24

SCREENED for the press and that section of the public which braved a downpour in Glendale to attend the Alexander Theatre without notice of a preview coming up, this number in the Blondie series made those present forget wet feet and dripping umbrellas in a succession of laughs that continued unabated to the end.

There is some diminution of accent on the domestic side of the Dagwood Bumstead family's affairs this time and some important extension of the talents of Arthur Lake and Penny Singleton. He is pressed into service as a trap drummer and turns in a bang-up job with the sticks. She does some singing well, and an extensive exhibition of rhumba and conga equally so.

The picture opens with Dagwood, Blondie, Baby Dumpling and Daisy taking off for South America as guests of Dagwood's employer. At the last moment Dagwood is to be left behind but fails to get off the boat. Afraid to confront his employer, he masquerades as girl drummer in the ship's orchestra. A Latin aboard—played and sung by Tito Guizar—and a girl entertainer—played and sung by Ruth Terry—participate in the complications. The tale ends happily with misunderstandings cleared up and Dagwood hero of a profitable business deal by grace of a blunder.

Production is by Robert Sparks, direction by Frank R. Strayer.

Running time, 68 minutes. "G."* ROSCOE WILLIAMS

"It Happened to One Man"

(RKO)

MADE in England with a company of British players in support of extremely limited marquee value, though they are generally competent, this appears to rely almost solely on its star, Wilfred Lawson, to create box-office interest.

The film has Lawson in the role of a shrewd financier whose shady transactions result in a prison sentence. After serving his term, he pursues a double-crossing associate and in self defense kills him, returns home and ultimately leaves again since his reputation could hardly benefit his family. Despite his fine work, the story is somewhat slow, having little action or humor about it. Lighting and sound are not of the best.

Obviously the only selling point is Lawson, who is gaining recognition here because of his brilliant performance in "Pastor Hall."

Running time, 80 minutes, "G." *

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* *"G" denotes general classification.*

To Develop Program For South America

Plans for a 30-minute recorded program for broadcasting by South American radio stations will be developed by a subcommittee of foreign department publicity managers which is studying the advisability of major company participation in radio advertising in Latin America, it was decided at a meeting of the subcommittee at M.P.P.D.A. headquarters yesterday. The group will report its plans to the general committee for further consideration.

William Otto Dies

LOUISVILLE, Ky., Feb. 24.—William J. Otto, 69, a stage hand in Louisville theatres for than 40 years, died at St. Joseph's Hospital here of pneumonia. He underwent an operation two weeks ago.

Guinan to P. R. C.

ST. LOUIS, Feb. 24.—William A. Guinan has been added to the sales staff of the local exchange of Producers Releasing Corp. by A. R. Dietz, branch manager.

Drama Guild, N. Y. Theatre League At Odds Over Closed Shop Clause

The Dramatists Guild and the League of New York Theatres are at odds over a "closed shop" provision inserted in the new contract by the Guild, it was learned yesterday. The old five-year basic agreement expires next month and negotiations have been pending for the past few months.

Under the present agreement, producers of Broadway plays are permitted to produce each season one British play and an unlimited number of foreign plays written by non-Guild members. The guild is seeking to eliminate this provision and compel the managers to produce plays either written by Guild members or by members of foreign societies which have reciprocal agreements with the Guild.

Holiday Booms Box-Offices On Broadway

(*Continued from page* 1)

at the house. Raymond Scott and his orchestra are on the stage.

"The Lady Eve" with Tony [illegible]tor's orchestra opens at the Para[illegible]nt tomorrow, succeeding "You're the One." The latter with Ella Fitzgerald and her orchestra did an estimated $17,000 Saturday and Sunday and should finish the week tomorrow night with about $32,000.

"The Great Dictator" did well on Saturday at the Astor with about $4,000, grossing an estimated $14,200 for the week.

"Back Street" is still doing well at the Rivoli. It completes its second week tonight with an estimated $24,000 expected. "Road Show" finished a week at the Rialto last night with an estimated $5,200. "Meet Boston Blackie" replaces it today. "Blondie Goes Latin" opens at the New York today.

Legitimate Houses Have Big Weekend

With nine matinee and 13 evening performances on Sunday, exclusive of benefits, the legitimate stage had its biggest weekend since the introduction last November of the rule permitting Sunday shows. A large number of out-of-town visitors over the Washington's Birthday weekend helped swell grosses.

James F. Reilly, executive secretary of the League of New York Theatres, pointed out that the trend toward Sunday shows for all plays was increasing and he said that receipts on Sunday as compared with Monday definitely proved that the experiment is successful up to this point.

Under the terms of its original authorization, Actors Equity set June 1 as the end of the period when Sunday shows will be permitted. The field will be surveyed again at the end of the experimental period and a decision will be made at that time on whether it should be continued on a permanent basis.

Violations Bring Late Award Release

(*Continued from page* 1)

KFWB here are understood to be incidents prompting the new procedure.

The arrangement provides that a representative outside auditing firm will make the winner in each division known to Walter Wanger, Academy president, on the dais at the Academy banquet in sequence during the evening.

New Jersey House Sues Distributors

(*Continued from page* 1)

false, the plaintiff asserts. Payments of other alleged unreasonable and discriminatory charges for film rentals are also claimed. The defendants are charged with violating anti-trust laws at the present time. Attorneys for the plaintiff are Hays, Podell, and Shulman.

Great Neck House Files on Clearance

(*Continued from page* 1)

Playhouse is operated by Skouras Theatres Corp.

Notices of intervention have been filed with the Washington board in the first industry arbitration case of record there, by the three Durkee Circuit houses named in the clearan[illegible] complaint of Thomas Goldberg against 20th Century-Fox and Warners. The intervenors are Durkee's Ambassador, Forest and Gwynne.

Second Case Filed Against Durkee

WASHINGTON, Feb. 24.—The Westway Theatre of Baltimore, operated by Leo J. Homand, has filed a complaint with the local arbitration board, alleging unreasonable clearance held by the Edgewood Theatre, operated by the Durkee interests. Companies named are 20th Century-Fox, M-G-M and Warners. This is the second Baltimore clearance case against Durkee.

The Irvington in Baltimore and the Alpha of suburban Catonsville also have protection over the Westway, and as a result of "discrimination" the theatre has lost money since its opening in 1939, the complaint alleges.

BMI Music in Film

HOLLYWOOD, Feb. 24. — First complete use of BMI music in a picture will be in Republic's "Puddin'head," according to Harry Engel, BMI Hollywood manager.

No Defense Propaganda In Films, Golden Says

ATLANTIC CITY, Feb. 24.—The screen, in its capacity as a significant aid to defense, "should not and will not be used as propaganda," Nathan D. Golden, Chief of the Motion Picture Division of the Department of Commerce, declared in an address here today on "Motion Pictures in Education," before the 71st annual convention of the National Education Association.

"The industry fully realizes," Golden said, "that motion pictures, to be really useful in carrying out their true defense objectives, must be enlightening, instructive, and devoid of any intent to sway the individual opinions of the persons who enjoy them and benefit substantially from them."

The industry, Golden pointed out, with its vast facilities and manpower, is now rendering valuable service to the defense program in producing films of value in cultural relations and in the training of the nation's armed forces. Films showing the best methods for expediting industrial processes, improving home defense and furthering other objectives essential to preparedness can be made easily, Golden said.

Reporting on a survey undertaken late last year by the Department of Commerce at the request of the non-theatrical motion picture industry and in the interest of national defense, Golden indicated that 12,443 16mm. projectors and 2,447 35mm. projectors are owned by colleges and high schools in the United States and its possessions Of the 12,443 16mm. projectors, 6,059 are silent and 6,384 are equipped for sound. Of the 2,447 35-mm. projectors, 1,624 are silent and 823 are sound-equipped.

A total of 7,526 schools state they have no permanent motion picture equipment of any type, Golden reported. Some schools indicated that they had facilities to "borrow" or "rent" as many as 5,578 16mm. projectors and 1,070 35mm. projectors either from other schools or from commercial distributors of such equipment.

Golden cited the fact that a survey in 1936 which covered 9,000 school systems in the urban areas of the United States, indicated that 6,074 16mm. silent projectors and 458 16mm. sound projectors were available, while 3,230 35mm. silent projectors and 335 sound projectors were in use. Also, 2,733 film-strip projectors were available at that time.

Discard Two Conn. Bills

NEW HAVEN, Feb. 24.—Two safety device bills for projection machines have been thrown out of the Connecticut legislature by the judiciary Committee. The bills were filed in skeleton form and full text was not supplied by the filing deadline.

Problems Weighed By British Council

LONDON, Feb. 24.—The Films Council over the weekend held an exhaustive study of the whole industry situation, in sequel to the plea of the Cinematograph Exhibitors Association to Oliver Lyttleton, president of the Board of Trade, for a reduction in the exhibitor quota.

The discussion was adjourned until next Thursday. Several members of the council suggested scrapping the entire Quota Act and devising substitute legislation, it is understood, but the idea was strongly opposed by producers and labor interests and was received with marked indifference by exhibitors.

It was agreed to prepare a comprehensive report on the discussions, with individual comments, for ultimate presentation to Lyttleton for his guidance.

Iowa Exhibitors to Fight Adverse Bills

DES MOINES, Feb. 24.—Iowa exhibitors at a meeting held here over the weekend, discussed plans of a campaign against chance games and theatre tax bills now pending in the Iowa legislature.

The business session followed a meeting called to make plans for the state's theatre participation in the Greek Relief Fund drive, for which the Iowa theatre quota is $13,000. G. Ralph Branton of Tri-States, E. J. Tilton of Warners and L. F. Wolcott, president of the I.T.O. of Iowa and Nebraska, led the discussion.

8th ANNUAL I.T.O.A.

MOVIE BALL

Hotel Astor, Saturday Night, March 1st, 8 P.M.

ELI DANTZIG
And His Orchestra

●

ZITO
And His Rhumba Band

STARS — ENTERTAINMENT — SURPRISES

Tickets: Ten Dollars per Person

Obtainable at I.T.O.A., Room 192, Hotel Astor—Circle 6-6460

Ascap Decree Hearing Set For Monday

Federal Judge Henry W. Goddard yesterday set Monday as the tentative date for a public hearing on the proposed Ascap Federal consent decree.

Victor O. Waters, special assistant to the U. S. Attorney General, and Herman Finkelstein, of counsel for Ascap, told the court that negotiations on the decree were nearing a conclusion and probably would be completed in time to submit the decree to the court on Wednesday.

Will File New Suit

Waters said the Government's procedure will be to ask for dismissal of the Government's 1934 anti-trust suit which is still pending against the society here, to file a new anti-trust suit against Ascap in its stead and to hand up the consent decree in settlement of the new action immediately afterward. These steps probably will be taken on Wednesday and the public hearing will follow on Monday or as soon thereafter as the court directs.

Settlement of the Government's criminal information against Ascap pending in Federal court at Milwaukee will be undertaken separately, thereafter, Waters said.

Interpretation Added

The principal factor delaying closing of the decree, it was said, is the necessity for embodying in the decree itself an interpretative notation appended to it by the Ascap board of directors at the time they approved the decree, setting forth the understanding that the decree will not prohibit Ascap and the broadcasters from adopting any new contractural terms which they are able to agree upon mutually. The interpretation follows an agreement with the Government that the society and the broadcasters are not to be restricted to the blanket or per piece contracts referred to in the decree, if other acceptable formulae can be agreed upon by the two.

Milton Diamond, attorney, and John G. Paine, Ascap general manager, also appeared in court yesterday for the society, and Warren Cunningham, Jr., for the Government.

NY Bill Bans Liquor Price on Programs

ALBANY, Feb. 24.—A measure introduced in the New York State legislature by Assemblyman Fred Hollowell is construed as prohibiting the price of beer, wine or liquor on radio programs.

The bill includes a paragraph which reads, "No person shall advertise in any form whatsoever the price or process of alcoholic beverages." The measure was submitted as an amendment to the alcoholic beverage control law.

Settle Farnsworth Strike

MARION, Ind., Feb. 24.—Employes of Farnsworth Television & Radio Corp. returned to work today following a nine-day strike. The company is working on $600,000 of government contracts for military radio equipment. About 600 are employed.

Off the Antenna

PHILADELPHIA is running a close second to New York in FM activity. Six applications have been filed there and four construction permits have been granted already. For the New York area, 18 applications have been filed and seven granted.

The total around the country is 91 applications filed and 39 granted. In other leading cities the situation is: Chicago, six sought, five granted; Los Angeles, five sought, one granted; Detroit, four sought, two granted; Pittsburgh, three sought, two granted; Boston, three sought, one granted; St. Louis, three sought; Hartford, Conn., two sought, two granted; Schenectady, two sought, two granted; and Providence, two sought.

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Purely Personal: *Joe Rines has been named musical director at WMCA, effective March 22. . . . Frank Luther has been appointed in charge of Decca records for children. . . . Frank Danzig of WMCA's production staff will be guest lecturer at Long Island University tonight. . . . Elizabeth Wayne has been named Mutual correspondent at Batavia, Java, Dutch East Indies. . . . Walter Gross has been appointed dance band conductor for CBS. . . Lawrence Tibbett will return as guest soloist on the "Ford Sunday Evening Hour" over CBS Sunday at 9 P.M.*

• • •

Calling attention to March 29, the date set by the FCC for the changeover to the new frequencies, Gov. Keen Johnson of Kentucky has designated that day "Radio Movin' Day" in Kentucky. His order named the 10 Kentucky stations which are affected.

• • •

Two outstanding exponents of Pan-American friendship, Dr. Leo S. Rowe, director general of the Pan-American Union, and Nelson Rockefeller, coordinator of commercial and cultural relations between the American Republics, will be guest speakers at a dinner which will conclude a three-day conference of the CBS "School of the Air of the Americas." They will speak Saturday at the Waldorf-Astoria Hotel and the speeches will be carried by CBS from 10:15-10:45 P.M. Outstanding educators from every country in the Western hemisphere are expected to attend the session, which starts in Atlantic City Thursday.

• • •

Program News: *NBC has succeeded in selling part of its 11 P.M. news spot on WEAF. Beginning Thursday, Philip Morris & Co. will sponsor the Thursday, Friday and Saturday periods with RCA sponsoring the remaining days. . . . The Coca Cola show over CBS at 4:30 P.M. will be extended from 30 to 45 minutes beginning Sunday. . . . "Prof. Quiz" will shift his program from Tuesdays at 9:30 P.M. to Thursdays at 10:15 P.M. . . . The 20th Century-Fox film, "Western Union," will be "dramatized" by Fred Allen over CBS tomorrow evening at 9. . . . Joan Edwards, the former Paul Whiteman vocalist, will start a CBS series of her own Monday when she is heard Mondays, Wednesdays and Fridays at 10:30 P.M. in "Girl About Town."*

FCC Approves Five FM Stations

WASHINGTON, Feb. 24.—Construction permits for five FM and four regular broadcasting stations have been granted by the Federal Communications Commission.

Four of the five FM permits were issued to Westinghouse Radio Stations, Inc., for transmitters at Philadelphia on the 45,700-kilocycle channel, to cover 9,300 square miles with a population of 4,500,000; Boston, on 46,700 kilocycles, to cover 6,700 square miles with a population of 3,400,000; Fort Wayne, Ind., on 44,900 kilocycles, to cover 6,100 square miles with a population of 420,000, and Springfield, Mass., on 48,100 kilocycles, to cover 2,500 square miles with a population of 500,000. The fifth permit went to Rockford Broadcasters, Inc., Rockford, Ill., for a station on 47,100 kilocycles to cover 3,900 square miles with a population of 270,000.

Seek Hawaiian Station

The permits for new regular broadcasting facilities were issued to Hawaiian Broadcasting System,. Ltd., for a 1,310-kilocycle, 250-watt station at Honolulu, T. H.; Vermont Radio Corp., Inc., for a 1,390-kilocycle, 1,000-watt daytime station at St. Albans, Vt., and Harbenito Broadcasting Co., for a 1,240-kilocycle, 250-watt station at Harlingen, Texas, and William D. and Violet Hutton Hudson for a 1,370-kilocycle, 250-watt station at Clarkville, Tenn.

The commission also authorized Stations WFOR, Hattiesburg, Miss., to increase power from 100 to 250 watts, and WEVD, New York, to increase power from 1,000 to 5,000 watts.

An application of Columbia Broadcasting System for a new FM station at Boston was ordered set down for hearing, at a date to be fixed later.

Authority to construct a new 1,500-kilocycle, 250-watt broadcasting station at Butte, Mont., has been asked of the commission by Barclay Craighead.

An application also was filed by Station KHSL, Chico, Cal., for increase of night power from 500 to 1,000 watts.

Song Suit Names BMI

BMI, George Fragos, Jack Baker and Dick Gasparre were named defendants yesterday in a song infringement suit filed in U. S. District Court here by Ira B. Arnstein, who charges plagiarism of his song, "Sadness Overwhelms My Soul," in BMI's number, "I Hear a Rhapsody."

Battle Looms Between AFM, Artists Guild

A battle of major proportions between the American Guild of Musical Artists and the American Federation of Musicians is expected to break out within the next few days, it was learned yesterday. The jurisdictional fight is expected to start in the symphonic and concert field but there is a real possibility that it will spread quickly to other fields, particularly radio, it was said.

AGMA officials for the past week have been engaged in almost continuous conferences and have refused to comment on the situation. Under the terms of the order issued by James C. Petrillo, A.F.M. president, all instrumentalists must join the A.F.M. before Saturday or be barred from all fields of entertainment where the musicians have contracts.

Support Not Expected

AGMA strategy was said to be to withhold all information about future plans until the end of the week. It was indicated that AGMA does not anticipate any strong support from other talent unions in the Associated Actors and Artistes of America. When Petrillo issued his original edict last August, the other unions passed formal resolutions promising support but indicated that they did not wish to be involved in another jurisdictional battle. According to reports, their sentiments do not appear to have changed much since that time.

However, AGMA officials believe that their organization may be sufficiently strong to put up a good fight. Most concert orchestras in the country rely heavily for their drawing power on the presence of outstanding instrumentalists and it was pointed out that if these artists are not permitted to appear, many orchestras will be compelled to cancel concerts and thus deprive many musicians of employment. The same situation, in some respects, applies to radio programs which feature classical orchestras.

May Force Settlement

Additionally, most of these instrumentalists are under contract for some months in advance. If the musicians refuse to play with them, the sponsors of the concerts will be in the position of being compelled to pay for their services while gaining no benefits from their drawing power. Under these circumstances, AGMA officials say, it is possible that the sponsoring organizations may bring pressure to bear on the musicians to compel some settlement of the dispute.

Students in Radio Accolades to S. A.

Forty students at the Peekskill Military Academy whose homes are in Central and South America will salute their homelands in a special broadcast over NBC short wave tomorrow evening. All Latin-American consuls in New York have been invited to the studios to witness the broadcast and Capt. Colon Eloy Alfaro, Ambassador from Ecuador, and Andres Pastoriza, Minister from the Dominican Republic, will also be present.

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Appeal Board To Open Here On March 12

Complaint in Milwaukee Names Paramount

Opening of the national arbitration appeals board headquarters in Rockefeller Center on March 12 will be marked by the American Arbitration Association with a reception to which a representative list of industry executives has been invited.

Meanwhile, the A. A. A. yesterday completed designation of the initial panels of arbitrators for the New Haven and Seattle boards. The initial panel for New Haven consists of 15 arbitrators, seven of whom are attorneys, and that for Seattle consists of 10 arbitrators, six of whom are attorneys.

Typical of those selected for the panels are: A. G. Gulliver, dean of the Yale Law School, and Henry W. Jones, Jr., president of American Tube Bending Co., on the New Haven

(*Continued on page* 6)

Abrams N. Y. Branch Manager for N.S.S

Leo Abrams, who resigned recently as short subject sales manager for Universal, has been appointed New York exchange manager for National Screen Service by George Dembow, vice-president in charge of sales. The appointment is effective on March 10, and will free Morton Van Praag, who has been supervising New York, for his duties as Midwestern district manager, a post he has held for two years.

Abrams left Universal after nearly 25 years of service with the company. He started as a salesman for the Big U Exchange, and was manager successively in New Haven, St. Louis and Kansas City. Then he was named manager of the New York exchange after a period as salesman here. He was at the local exchange for 10 years before becoming short subject sales manager.

Quigley En Route To N. Y. from Coast

HOLLYWOOD, Feb. 25.—Martin Quigley, publisher of MOTION PICTURE DAILY and *Motion Picture Herald*, left here tonight by Super Chief for New York after several weeks on the Coast.

'Nice Girl?' to Play At Paramount Here

"Nice Girl?" Universal picture starring Deanna Durbin, will open at the Broadway Paramount Theatre on March 26. This will be the first Universal film to play the house in more than 10 years, excepting "The Boys from Syracuse," Mayfair film released by Universal, which opened at the house July 16, last year.

New Basic Pact With Theatres Approved By Dramatists Guild

The council of the Dramatists Guild yesterday formally approved its new basic agreement with legitimate theatre producers. It will go in effect Saturday for five years, subject to signing by the theatrical managers. The present five-year agreement expires Friday.

The basic contract for the first time incorporates the provisions for purchase in advance of film rights to a play by a film company which is backing the play. Previously, these provisions had been in the form of a supplement to the agreement.

Although there has been opposition by the League of New York Theatres to the new provision which requires that foreign playwrights must be members of the Guild before their

(*Continued on page* 6)

SCHINE-U. S. TALKS ON DECREE ARE OFF

Fail to Agree on Terms of Future Expansion; U. S. Sees Chance Against New Parleys And No Crescent or Griffith Settlements

Negotiations for a consent decree between the Schine Circuit and the Department of Justice in the Government's anti-trust suit pending in Federal court at Buffalo have been discontinued and there is little prospect of their being renewed, an official Government source said yesterday.

Breakdown of the negotiations for a decree in the Schine suit are reported to have resulted from inability to agree upon proposals under which the circuit could continue natural and advantageous expansion in the future.

The same source expressed the opinion that there would be no consent decree settlement of the anti-trust suits against the Crescent Amusement Co. in Federal court at Nashville and the Griffith Amusement Co. at Oklahoma City. Prospects of a settlement of the Griffith suit never have been promising, however, even though discussions have been under way since last Fall. No serious decree discussions ever have been held in the Crescent case.

Freedom to acquire theatres under circumstances deemed advisable was one of the basic conditions known to have been insisted upon by the Schine circuit throughout the decree discussions with the Government. Those discussions have been under way for many months with Willard S. Mc-

(*Continued on page* 6)

Neb. Divorce Bill Dying

LINCOLN, Neb., Feb. 25.—Observers at the state legislature here said today they doubted a divorcement bill prohibiting ownership of theatres by producers would ever be given a committee hearing. Sources close to the legislators said the measure's author, E. M. Neubauer, former exhibitor, is not eager to have the bill heard.

Two other bills have been killed. The first would have levied a tax of 10 per cent on all admissions tickets, whether paid or free, and the second would have required distributors to obtain a permit from the railway commission at an annual fee of $1,000 plus $1 for each reel, and would have made it unlawful for an exhibitor to buy more film "than is reasonably necessary for use in his theatre."

Atlas Owns 39% of RKO Common, 28% Preferred

Increasing its holdings of both RKO preferred and common stock during the six months ended Dec. 31, last, Atlas Corp. on that date owned 28 per cent of the outstanding RKO preferred and 39 per cent of the common, the company reveals in its annual report and portfolio statement issued yesterday.

Atlas Corp. at Dec. 31 owned 26,980 shares of Hearst Consolidated Publications, Inc., preferred stock, with a market value on that date of $148,390, the Atlas report shows. This makes Atlas one of the largest stockholders in the Hearst publishing enterprises.

An analysis of the report shows that 14 per cent of the total of Atlas investments was in common stocks of amusement companies at the end of 1940.

At the same time, Atlas disposed of all of its Paramount first and second preferred stock, partially by conversion into common; added 7,000 shares of Keith-Albee-Orpheum preferred stock and 10,000 shares of Walt Disney Prod. preferred, and retained 7,000 shares of General Theatres Equipment Corp. common during the six months' period.

The Atlas holdings in RKO at the end of the year consisted of 35,481 shares of preferred valued at $1,525,694; 1,001,126 shares of common, valued at $3,754,224, and 327,811 RKO

(*Continued on page* 6)

New Orleans Houses Enjoy Good Grosses

NEW ORLEANS, Feb. 25.—Theatres in the business district here played to full houses today as the 114th Mardi Gras reached its height. It was the first good business day the local theatres have had, however, in over a week.

For the past 10 days parades and balls have resulted in virtually empty film houses, with some of the neighborhood theatres closing entirely. They will not reopen again until Ash Wednesday, tomorrow, when the festivities will end.

Reviewed Today

"Meet Boston Blackie" is reviewed on Page 6. Critics' Quotes will be found on Page 5.

Coast Flashes

Hollywood, Feb. 25

PARAMOUNT today purchased the film rights to "Louisiana Purchase," successful Broadway musical comedy written and produced by B. G. DeSylva, since made executive producer at the studio. Studio spokesmen said the price was $150,000.

•

In an unusual complaint of its type, Mel Forrester, an extra, today charged in an N.L.R.B. complaint that the Central Casting Corp. has violated the Wagner Act through alleged discrimination against him in job distribution. Although the Screen Actors' Guild, bargaining agency for extras, was not mentioned in the complaint, Forrester charged his union activities caused the "discrimination."

•

A $150 minimum salary for writers will be sought by the Screen Writers Guild in bargaining conferences with the producers, members decided at a meeting last night.

•

Tyrone Power was set today by 20th Century-Fox to star in "A Yank in the R.A.F.," story of an American in the Royal Air Force.

•

RKO today signed Anna Lee, English actress, to a term contract. Her first assignment will be opposite Ronald Colman in "My Life with Caroline."

Personal Mention

GEORGE J. SCHAEFER, RKO president, has returned to the Coast after a brief visit here.

•

Carter Barron, Loew Theatres Eastern division manager at Washington, is visiting the home office.

•

C. A. Kirby of the Universal foreign department, has returned from a Florida vacation.

•

Arthur Herschman of the Loew Circuit advertising department is in Miami convalescing from a long illness.

•

Ben Lourie, Columbia salesman in New Haven, is visiting Phil Fox, Columbia manager in Buffalo.

•

Ed Thorgersen, Movietone News sports commentator, has left for his annual vacation in Miami. He is due back on March 10.

•

Robert Talbot, city manager in Spartanburg, S. C., for Wilby-Kincey, has been named a director of the merchants bureau of the Chamber of Commerce there.

•

Mathilda Kass, head of Paramount's foreign billing department, was married recently to Abe Cohn of this city.

•

George Jeffery has returned from a trip to Canada and New England.

JULIUS GORDON of Beaumont, Tex., is in town for conferences with Paramount home office officials.

•

Ted Schlanger, Warner zone chief in Philadelphia, has left for Florida.

•

William F. Rodgers, David Weinstock, Max Dreyfus, Lou Dreyfus, John W. Hicks, Russell Holman, Sidney Phillips and Richard Rodgers lunching at Nick's Hunting Room in the Astor yesterday.

•

Al Richard, Jacob Wilk, John Emery, Brock Pemberton and Nat Karson having lunch yesterday at Sardi's.

•

Clarence Eiseman, Haskell Masters, Joseph Moskowitz, Harry Gold and Bernard Brandt at Lindy's (51st St.) yesterday for lunch.

•

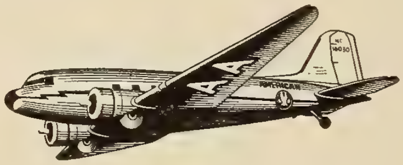
Al Margolies, Monroe Greenthal, Sam Tulpan, Sam Goldberg and Maurice Freeman lunching at Lindy's (next to the Rivoli) yesterday.

•

James Smith, Jack Mills, Harry Thomas, Douglas Rothacker and Jeffrey Bernerd at the Tavern yesterday for lunch.

•

Spyros Skouras, Sam Shain, Maurice Bergman, Morris Kinzler and Jack McKeon at the Oak Room in the Hotel Plaza for lunch yesterday.



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AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Nat Ross Fatally Shot; Was with 'U'

Hollywood, Feb. 25.—Nat Ross, 37, formerly a film distribution and production figure, was shot and killed last night at his office in the Cotton Products Corp., of which he was part owner and foreman. His assailant is held by the police. Ross left the film business about two years ago, after being in it more than two decades. At one time he was assistant managing director of the Strand Theatre in New York and later was private secretary to Carl Laemmle, Universal president, and then assistant to Irving Thalberg at Universal. He directed at the studio for several years and produced for M-G-M and Columbia in England.

W. B. Product Talks On Coast in March

Chicago, Feb. 25.—Conferences to determine the new season Warner product will be held early in March in Hollywood, according to Jack L. Warner, vice-president in charge of production, who passed through here today en route to New York. H. M. Warner, Jack Warner, Hal B. Wallis, Gradwell L. Sears and S. Charles Einfeld will participate.

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Newsreel Parade

THE newsreels in their new issues give sports and defense thorough treatment. They depict among other things the navy's new patrol boats, known as the "mosquito fleet," off Miami. Rowing, bowling, skating, track and horse racing are covered in the sporting world. The contents:

MOVIETONE NEWS, No. 49—Big bomber here for shipment to England. Mardi Gras in New Orleans. Officer Gene Tunney with cadets. C.C.C. boys learn auto mechanics. California Bears in rowing practice. Women in Chicago bowling conference. Greg Rice breaks track record. Beauties in Miami.

NEWS OF THE DAY, No. 247—New schools for tars. Mosquito squadron in the Gulf Stream. British defense. Choose "Miss America" in Miami. The ladies bowl in Chicago. New York track meet. Skating in Washington. Flamingo Stakes at Hialeah.

PARAMOUNT NEWS, No. 52—Torpedo boats in demonstration. Super bomber here for transfer to England. Cargo ship leaves on mystery voyage. Adventists drafted into medical corps. Windsor at Nassau dog show. Pretty girls in Coral Gables. New Yorkers slam Hitler in collect cables to Germany. Racing at Hialeah. Skiing in New Hampshire. Track meet in New York. Women's bowling championships.

RKO PATHE NEWS, No. 52—Skating championships in Washington. Mosquito fleet in trial runs. Test new railway rifle in Aberdeen. Adventists do medical work in the army. Women enlist as army hostesses. Mardi Gras in New Orleans. Beauty contest in Rio de Janeiro. Rice wins three-mile race. Bowling tournament in Chicago. Flamingo Stakes at Hialeah.

UNIVERSAL NEWSREEL, No. 957—Mosquito boats in maneuvers. Bomber for Britain in New York. Army balloon tactics in Washington. Mardi Gras in New Orleans. Fashions. Ice skating in Washington. Crew practice at University of California. Track meet in New York. Bowling in Chicago. Flamingo Stakes.

E. J. O'Brien, Metro British Editor, Dies

London, Feb. 25.—Edward J. O'Brien, famous short story expert and European story editor for M-G-M, with headquarters at the Metro British studio, died at Gerrards Cross, Buckinghamshire, on Friday, according to word received here today. He was 50 years old.

O'Brien, who had edited annual volumes of short stories since 1915, first in the United States and then in England, had been story editor here for M-G-M about four years.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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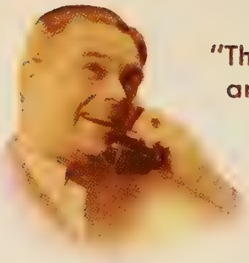


"The Hardys
are in town!"

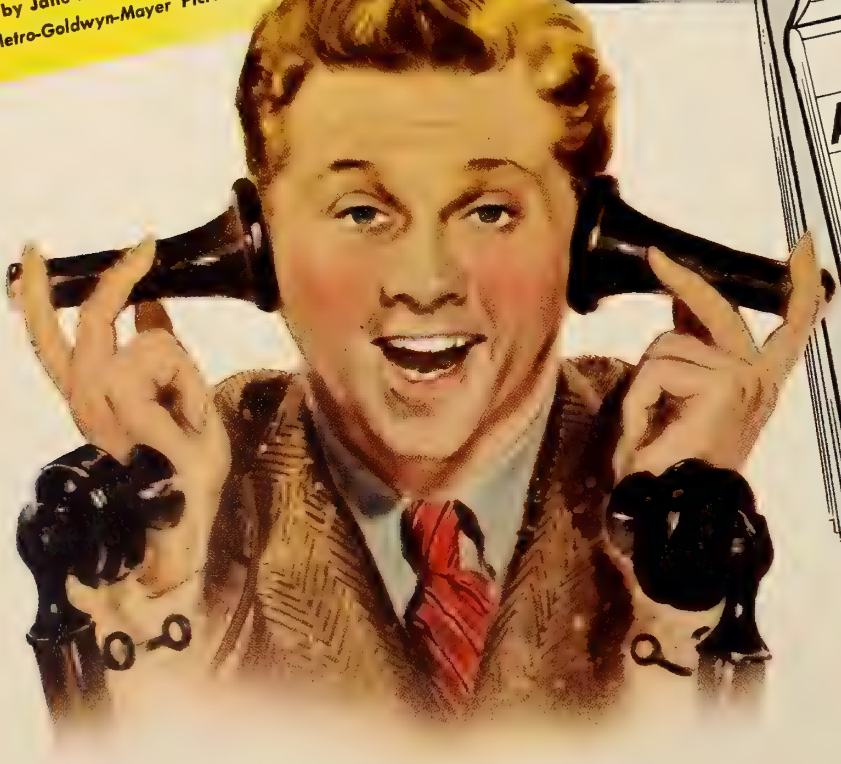
"The Hardys
are in town!"

"The Hardys
are in town!"

"THE
HARDYS
ARE
IN
TOWN!"

Underwood & Underwood

LEWIS STONE
MICKEY ROONEY
FAY HOLDEN
Ann Rutherford
Sara Haden
Ian Hunter and
KATHRYN GRAYSON
Directed by GEORGE B. SEITZ
Screen Play by Jane Murfin and Harry Ruskin
A Metro-Goldwyn-Mayer Picture



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'Wind' Takes Good $13,500 Seattle Gross

SEATTLE, Feb. 25.—"Gone With the Wind" at the Paramount took $13,500 at slightly advanced prices. "This Thing Called Love" drew $6,600 at the Liberty. The weather was clear and warm.

Estimated takings for the week ending Feb. 21:

"Mr. and Mrs. Smith" (RKO)
"Little Men" (RKO)
BLUE MOUSE—(950) (30c-40c-50c) 7 days. 2nd week. Gross: $3,100. (Average, $4,000)
"Come Live With Me" (M-G-M)
"Land of Liberty" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $6,800. (Average, $7,000)
"This Thing Called Love" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. 2nd week. Gross: $6,600. (Average, $5,000)
"The Philadelphia Story" (M-G-M)
"Michael Shane, Private Detective" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days. 5th week. Gross: $3,700. (Average, $4,000)
"Buck Privates" (Univ.)
"The Case of the Black Parrot" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,600. (Average, $6,000)
"The Great Mr. Nobody" (Rep.)
"Who Killed Aunt Maggie" (Univ.)
PALOMAR—(1500) (20c-30c-40c-50c) 7 days. Vaudeville. Gross: $4,400. (Average, $5,000)
"Gone With the Wind" (M-G-M)
PARAMOUNT—(3,500) (40c-58c) 7 days. Gross: $13,500. (Average, $6,000)

'Annie,' Stage Show $15,000, Cincinnati

CINCINNATI, Feb. 25. — "Tugboat Annie Sails Again" pulled $15,000 at the RKO Shubert with the aid of "Folies Bergere" on the stage. "Western Union" delivered $12,300 at the RKO Albee. The weather was the coldest of the Winter.

Estimated takings for the week ending Feb. 18-22:

"Western Union" (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $12,300. (Average, $12,000)
"Come Live With Me" (M-G-M)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $10,000)
"Tugboat Annie Sails Again" (W. B.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Folies Bergere." Gross: $15,000. (Average, $10,000)
"Back Street" (Univ.) N
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $5,500)
"Land of Liberty" (M-G-M)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,400. (Average, $5,000)
"Mr. and Mrs. Smith" (RKO)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $3,200. (Average, $4,500)
"The Devil's Pipeline" (Univ.)
"The Lone Rider Rides On" (P. R. C.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,300. (Average, $1,200)
"Little Men" (RKO)
"San Francisco Docks" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)
"High Sierra" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,200. (Average, $5,000)

Two Quit Republic

ATLANTA, Feb. 25.—George Jones, booker for Republic here, has resigned to set up an independent booking office. Al Rouk, local Republic salesman, has resigned to go in business with his brother, Charles Rouk, operating a new theatre in Montgomery, Ala.

Critics' Quotes . . .

"MEET JOHN DOE" (Capra-Warners)

It is a story of democracy resolved into essential ethics—simple honesty, good neighborliness, brotherly love and something very much like religion. It is hokum, sure—but good.—*Look.*

"BUCK PRIVATES" (Universal)

An hour and a half of uproarious monkeyshines.—*New York Times.*

An honest little slapstick effort that will alarm nobody and entertain quite a few.—*Cecelia Ager, PM (New York).*

Yesterday's first audience found it alternately hilarious and inspiring.—*Norman B. Bell, Washington Post.*

An unpretentious comedy with music, and the principal charm is in its "non-colossalness," its lead comics, and the natural way in which the fun and music are alternately featured.—*Bernie Harrison, Washington Times-Herald.*

A peach of a comedy . . . really a series of vaudeville gags thrown together against a background of the new draft army . . . the gags are not new but they are funny.—*Los Angeles Examiner.*

A picture that will be, within its particular province, a box-office smash hit.—*James Francis Crow, Los Angeles Citizen News.*

A hilarity hit . . . slapstick comedy of the 1941 streamlined variety.—*Rita Swann, Baltimore News Post.*

A more enjoyable item than the story and the members in the cast promised.—*Gilbert Kanour, Baltimore Evening Sun.*

"WESTERN UNION" (20th Century-Fox)

The dash of history in this case is too negligible to get in the way of a straightforward exciting yarn acted by an excellent cast.—*Newsweek.*

Probably the best of the de luxe outdoor pictures of pioneering days proffered by 20th Century-Fox.—*Edwin Schallert, Los Angeles Times.*

A smash thriller.—*Louella O. Parsons, Los Angeles Examiner.*

A punch-packed and thrill-studded tale of the sturdy pioneers . . . A "must see" for action, romance, drama and thrills.—*Jimmy Starr, Los Angeles Herald and Express.*

"BACK STREET" (Universal)

Margaret Sullavan gives a compelling performance, and once again the studio, dramatizing clandestine love, turns a flood of tears into very probable profits.—*Newsweek.*

A sleek and sentimental offering, not an inspired script, but interesting from start to finish and excellently acted.—*Norman Clark, Baltimore News Post.*

Bound to have a large interest particularly for those who desire to be emotionally moved.—*Edwin Schallert, Los Angeles Times.*

A fairly absorbing history of the emotional lives of two people. . . . Its love story is poignant and contains a world of warm pathos, but it is seldom saccharine.—*Lee Mortimer, New York Daily Mirror.*

A smooth manufacturing job. With its aggressive tear-jerking treatment, it is bound to appeal to feminine audiences.—*Howard Barnes, New York Herald Tribune.*

"GO WEST" (M-G-M)

An extravagant and hugely entertaining spoof of the screen's oldest and most serviceable narrative form, the western. . . . Most of it is fast-paced visual fun, embellished with plenty of gag lines and some pleasant musical interludes.—*Garrett D. Byrnes, Providence Journal.*

Plenty of new gags and situations.—*Prunella Hall, Boston Post.*

It is one of their most successful compilations of daffy fun and those who delight in watching a slapstick wielded by experts will find this a most delightful photoplay.—*Donald Kirkley, Baltimore Sun.*

The Marx Brothers are not nearly as comical in their new show as on previous occasions. . . . Silly? Yes, but just try to keep from laughing—we couldn't.—*New York Times.*

This is a good family film. The youngsters will howl over it and grown-ups won't fall asleep.—*Edith Werner, New York Daily Mirror.*

A two-reel slapstick comedy prolonged to feature length.—*Donald Kirkley, Baltimore Sun.*

"THIS THING CALLED LOVE" (Columbia)

It is to be doubted if the firm has ever turned out anything quite as consistently hilarious. . . . The plot and its ramifications are a bit risque for the cinema, but despite its implications, it never gets without the bounds of good taste.—*Gilbert Kanour, Baltimore Evening Sun.*

Smart frivolity . . . fast, humorous and clean. . . . . It's the speediest and most flippant film of the new year, expertly coy and femininely ruthless.—*C. J. Bulliet, Chicago Daily News.*

After a lively beginning, "This Thing Called Love" bogs down in the middle and limps feebly to a disappointing end.—*William Boehnel, New York World-Telegram.*

The good old Hollywood formula for sophisticated comedy—the one which turns upon the amoral eccentricities of husbands and wives—is being used again to good advantage by Columbia.—*Bosley Crowther, New York Times.*

Geared for laughs and getting them. . . . It's smartly turned out and the pace is brisk.—*Rose Pelswick, New York Journal and American.*

One of the most hilarious films of the year. . . . It cannot be called a dirty or degrading film.—*Archer Winsten, New York Post.*

One of the more comical ones, gracefully handled and lightly spun.—*Cecelia Ager, PM (New York).*

'Virginia' and Show Chicago Draw $42,000

CHICAGO, Feb. 25.—"Virginia" plus Phil Spitalny and his all-girl orchestra drew a good $42,000 at the Chicago. The last week of Jones, Linick & Schaefer management of the Oriental ended with $16,000 for Louis Armstrong and band on the stage with "San Francisco Docks" on the screen.

Estimated takings for the week ending Feb. 21:

"Fantasia" (Disney)
APOLLO—(1,400) (75c-$1.10-$1.65) 2 days. Gross: $6,000. (Average: $6,500)
"Virginia" (Para.)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage: Phil Spitalny's all-girl band. Gross: $42,000. (Average: $32,000)
"Land of Liberty" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,000. (Average, $5,000)
"San Francisco Docks" (RKO)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Lou Armstrong & Band. Gross: $16,000. (Average: $13,000)
"Back Street" (Univ.) 4 days
"Six Lessons from Madame LaZonga" (Univ.) 4 days
"Buck Private" (Univ.) 3 days
"Play Girl" (RKO) 3 days
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $12,000. (Average: $13,000)
"High Sierra" (W. B.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $12,500. (Average, $11,000)
"Texas Rangers Ride Again" (Para.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Simone Simone & Hollywood Unit. Gross: $16,000. (Average, $15,000)
"Philadelphia Story" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. 4th week. Gross: $8,500. (Average: $14,000)

'Story' at $9,000 Best in Montreal

MONTREAL, Feb. 25.—"Philadelphia Story" led with $9,000 at Loew's. "This Thing Called Love" drew $8,500 in its second week at the Palace.

Estimated takings for the week ending Feb. 20:

"The Bank Dick" (Univ.)
"Give Us Wings" (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $4,000. (Average, $4,000)
"The Philadelphia Story" (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days. Gross: $9,000. (Average, $7,000)
"East of the River" (W. B.)
"Always a Bride" (W. B.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,300. (Average, $2,500)
"This Thing Called Love" (Col.)
PALACE (2,200) (25c-45c-65c) 7 days. Gross: $8,500. (Average, $7,000)
"Chad Hanna" (20th-Fox)
"The Great Profile" (20th-Fox)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $4,500. (Average, $4,000)

'Santa Fe' Omaha's Winner at $5,400

OMAHA, Feb. 25. — "Santa Fe Trail" grossed $5,400 at the Brandeis. Cold weather hurt business generally.

Estimated takings for the week ending Feb. 19-20:

"Santa Fe Trail" (W. B.)
"Let's Make Music" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,400. (Average, $4,000)
"Come Live With Me" (M-G-M)
"Dispatch From Reuters" (W. B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,800. (Average, $6,000)
"Victory" (Para.)
"The Bank Dick" (Univ.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $6,300. (Average, $7,200)

Appeal Board To Open Here On March 12

(*Continued from page* 1)

tribunal, and Henry Burd, University of Washington professor, and Robert Peel, secretary-manager of Intermountain Association of Credit Men, on the Seattle tribunal.

A panel of 15 arbitrators was provided by the Washington arbitration board yesterday from which parties to the first complaint filed in the industry will select one arbitrator within the next week to hear and decide the case. The complaint, which is on clearance, was filed by Thomas Goldberg, Baltimore, against Warners and 20th Century-Fox on February 7, will be set for hearing after the arbitrator has been agreed upon.

Clearance at Issue In Milwaukee Case

MILWAUKEE, Feb. 25.—The first demand for arbitration to be filed with the local board here was made today by Evansville Theatre, Inc., operator of the Rex at Evansville, Wis., against Paramount.

The complaint charges the distributor with granting unreasonable clearance to the Jeffris at Janesville, Wis., and with refusal to deliver prints to the Rex until after they have been played by the Jeffris.

The complainant contends that the Jeffris is entitled to no clearance over the Rex on the basis of admissions charged and seeks an arbitration finding to that effect.

To
LOS ANGELES

Thru Mainliner Sleepers
No Change of Planes

The Continental. Lv. 5:10 pm with morning arrival in Los Angeles.

The Overland Flyer. Lv. 11:10 pm with daylight for the scenic western portion of the trip.

Reservations: travel agents, hotels or

UNITED Air Lines

Airlines Terminal: 80 E. 42nd St.
67 Wall St. 649 Fifth Avenue
Pennsylvania Hotel
Ph MU-2-7300

Feature Review

"Meet Boston Blackie"

(*Columbia*)

HERE is unsubtle, action-plus entertainment for the regular run of film fans who like their screen fare with a dash of ginger and excitement, and without too much to think about.

There is plenty of suspense and a thrill or two in the eventually successful attempt of Boston Blackie, notable safe-cracker, to clear himself of a murder charge. En route, he comes upon and brings to book a gang of international spies who are bent upon stealing an unspecified Navy "bomb sight," and use as their base of operations the freak concession at a film counterpart of Coney Island.

Chester Morris is highly satisfactory in the role of Boston Blackie, combining a smooth handling of his task with just enough of the bravado the part requires. In support are Rochelle Hudson, as the girl who helps him out by accident, but with whom he refrains from falling in love; Richard Lane, as the police inspector who is Blackie's nemesis; Charles Wagenheim, as Blackie's chief assistant, and Constance Worth, as the blonde spy whose presence draws Morris into the complicated affair.

Based on the fictional character created by Jack Boyle, the film was directed by Robert Florey.

Running time, 61 minutes. "G."* CHARLES S. AARONSON

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* *"G" denotes general classification.*

Variety Clubs to Set National Convention

PITTSBURGH, Feb. 25.—Representatives from all 24 Variety clubs will meet March 2 at the Hotel Traymore in Atlantic City to set arrangements for the national convention, National Chief Barker John H. Harris has announced. The meeting will name convention committees, choose the convention hotel, and draft an agenda. Ten men will attend from the Philadelphia tent, which will be co-host with a showmen's committee from Atlantic City.

The annual banquet of the local Variety Club will be held Sunday, Nov. 2, Chief Barker C. C. Kellenberg revealed before leaving for a Florida vacation.

Zanuck Will Deliver Army Training Films

HOLLYWOOD, Feb. 25.—The first two films on army training produced here for the War Department by the Research Council of the Academy of Motion Picture Arts and Sciences will be delivered to army officials in Washington personally by Darryl Zanuck, who is chairman of the council; Nathan Levinson, vice-chairman of the council; Capt. Gordon S. Mitchell and Major General J. O. Mauborgne.

The group will leave immediately following a dinner Friday night in honor of Mauborgne, which will be given by Zanuck at the 20th Century-Fox studio.

Atlas Owns 39% of RKO Common, 28% Preferred

(*Continued from page* 1)

option warrants, valued at $102,441, as well as the 7,000 shares of K-A,-O, valued at $728,875. The holdings of RKO preferred reflect a six months increase of 5,600 shares and an increased valuation of approximately $500,000 over the holdings of June 30, 1940. The holdings of RKO common include 120,000 shares to be received by Atlas under allowance made by the court for reorganization services, and represent an increase of approximately 168,000 shares and an increase in valuation of approximately $1,250,000 over the holdings of June 30, 1940.

The number of RKO option warrants held by Atlas at the end of the year was unchanged during the six months' period but reflected a $22,000 decrease in valuation.

The Paramount preferred disposed of during the six months period consisted of 3,400 shares of first preferred valued at $231,200, and 5,000 shares of second preferred valued at $36,875.

Atlas's Paramount holdings at the end of 1940 consisted of 20,000 shares of common valued at $205,000, or $63,000 less than the combined value of the preferred held formerly.

The 10,000 shares of Walt Disney preferred was valued at $97,500 as of Dec. 31, last. The 7,000 shares of General Theatres Equipment common increased approximately $20,000 in value during the six months.

The report reveals that the Atlas option on Keith-Albee-Orpheum preferred stock is for 23,800 shares certain, or for 27,000 shares conditional, at $112.50 per share, and expires on April 30.

Atlas reported net income for 1940, including $1,739,243 net realized profit on securities, of $2,521,022. The indicated asset value of Atlas common on Dec. 31 was approximately $12.26 per share, compared with $12.80 per share at the end of the preceding year. During 1940 the company paid $1,305,015 in dividends on its preferred stock and $1,424,607 on its common.

Schine-U. S. Decree Talks Broken Off

(*Continued from page* 1)

Kay, attorney for Schines, representing the circuit. McKay could not be reached yesterday for comment on the Government spokesman's statement [illegible] the negotiations breakdown.

Indications that the decree discussions had reached an impasse were first published in MOTION PICTURE DAILY on Feb. 17, when Federal Judge John Knight, who has jurisdiction over the case, expressed the belief that "there is a good chance that the Government's anti-trust suit against Schine Theatres will go to trial."

MOTION PICTURE DAILY also revealed exclusively that the Schine Circuit had moved for the striking out of the Government's interrogatories last week, indicating that the suit would be contested.

The five consenting companies in the Government's New York anti-trust suit have not been dismissed as defendants yet in the Schine suit, although they have been in both the Nashville and Oklahoma City actions. The Government spokesman, however, said that the dismissals of the five at Buffalo was in prospect for the near future.

Dramatists Guild Approves Contract

(*Continued from page* 1)

plays can be produced here, Guild officials said yesterday that this objection would not alter their plans to put the new contract into effect.

Guild officials pointed out that individual managers, and not the League, are parties to the agreement. Any manager who refuses to sign, would not be permitted to produce shows by Guild members, it was said.

The only other important change from the five-year pact was the extension from three to five years of the period in which managers share in proceeds from subsidiary rights.

Cinema Lodge Hears Address on Germany

Cinema Lodge, B'nai B'rith, at a meeting at the Hotel Astor last night heard a talk by Dr. Gerhardt Seger, former member of the German Reichstag, on "Germany, a Nation Paralyzed." Other speakers were Stuart Arons and Jerome I. Hyman. Entertainment was provided by the Paramount Choral Singers. Arthur Israel, Jr., president of the lodge, was chairman.

Sunday Film Bill Is On File in Georgia

ATLANTA, Feb 25.—A bill to legalize Sunday films in Georgia is due for consideration this week in the Georgia Senate.

Under provisions of the proposed bill, Sunday film would be permitted in any city where 25 per cent of the registered voters request them. It also provides that exhibitors obtain Sunday permits.

Skouras to Attend Meeting on Coast

Spyros Skouras, head of National Theatres, and other executives of the circuit will leave for Los Angeles late this week to attend the circuit's annual meeting of division managers, which will start March 6.

Product deals for the 1941-'42 season and other matters will be discussed by 30 executives expected to attend. Winners in the Spyros Skouras drive will be disclosed. The meeting will last about a week.

The home office group, besides Skouras, will include Dan Michalove, Edward Zabel, Aubrey Schenck, William Powers, Harry Cox and Pete Lundgren.

Among those attending will be Charles Skouras and Larry Kent, Los Angeles; Elmer C. Rhoden and Lon Cox, Kansas City; Rick Ricketson, Denver; Arch Bowles, San Francisco; Frank Newman, Seattle; Al Finke, Portland; H. J. Fitzgerald and Ed Alperson, Milwaukee, and Dave Idzal, Detroit.

'Boom Town' Wins In Gallup Survey

"Boom Town" was voted the best liked film of 1940 in a public survey conducted in all states by the American Institute of Public Opinion, of which Dr. George Gallup is director. The five following choices, in order of rank, are: "Knute Rockne—All American," "Rebecca," "Northwest Passage," "Strike Up the Band" and "The Fighting 69th."

The survey, which is claimed to have covered a representative cross-section of the population, was confined to the films released between Jan. 1 and Nov. 30, last year. It covered two types of patrons, those who attend once a week or more and those who attend less than once a week. The latter group selected the following six films, in the order of their choice: "Rebecca," "Boom Town," "Northwest Passage," "Knute Rockne—All American," "The Fighting 69th," "All This, and Heaven Too." No distinction was made in the questioning as to the reason the patrons liked the films they selected.

F. P. Canadian Profit Estimated at $800,000

TORONTO, Feb. 25.—A preliminary report for the past fiscal year of Famous Players Canadian Corp., reveals that operating profit of approximately $800,000, higher than for the previous year. Increased taxation will more than counterbalance the increase, it is pointed out.

The gross profit equals $2.09 per outstanding share of common stock, on which the company paid a total of $1 in dividends during 1940, the same as in 1939.

GTE Votes 25 Cents

Directors of General Theatres Equipment yesterday declared a dividend of 25 cents per share on the capital stock, payable March 17 to stockholders of record March 10.

Yorke Making U. S. Short

Emerson Yorke, independent producer, has been engaged by the U. S. Forest Service to write and produce a one-reel short on hunting in Alaska.

Short Subject Reviews

"Information, Please, No. 6"

(RKO-Pathe)

The three experts, John Kieran, Franklin P. Adams and Oscar Levant, aided by the English novelist, Jan Struther, again submit to the questioning of Clifton Fadiman. Miss Struther contributes some lively quips and the four regulars are as funny as ever. The questions range from nursery rhymes to the identification of warships. As good as ever. Running time, 11 mins.

"Eyes on Brazil"

(RKO-Pathe)

RKO-Pathe presents the first of a series of three single-reel subjects on South America photographed and narrated by Julien Bryan. This one describes the influence of German culture in Brazil and the steps now being taken by the joint efforts of the United States and Brazilian Governments to combat the Nazi menace. *Look* magazine has published many of Bryan's stills on this subject and this fact may be useful in exploitation. Worthwhile. Running time, 11 mins.

"Caballero College"

(RKO-Pathe)

The latest release in the "Sportscope" series describes the Cavalry School of Chile. Brilliant riders display their horsemanship while the camera shows how the valuable horses are trained. Highlights of the reel are an exercise which requires a cavalryman to lance a series of targets while riding at breakneck speed, and a performance by a team of four who jump the hurdles in unison. Running time, 9 mins.

"Pluto's Playmate"

(Disney-RKO)

Another engaging personality enters the Disney menage in the form of a friendly little seal. Pluto, playing on the beach with a ball, is mystified, then angered, as the seal starts tossing the ball around on its nose. Later, the seal saves Pluto's life and the latter learns how to toss the ball with his nose. The seal should prove popular. Running time, 8 mins.

"Prairie Spooners"

(RKO)

Another in the series of Ray Whitley Western Musicals, this reel is for the most part a group of tunes sung by Whitley and the Six-Bar Cowboys. The party starts on a hayride and when they get to the barbeque Bob McKenzie tells Ray's girl, Virginia Vale, of the time he met her mother on the covered-wagon trail. Running time, 13 mins.

"Mat Men"

(RKO-Pathe)

Wrestling is a major sport at Lehigh University under the guidance of Billy Sheridan, coach. Here the sport is reduced to a fine art and Sheridan demonstrates to a squad of college wrestlers how skill can conquer brawn. The reel ends with a hilarious burlesque of professional wrestling. Instructive and entertaining. Running time, 9 mins.

"Meet the Stars, No. 3"

(Republic)

With camera in hand, Harriet Parsons visited a few typical Hollywood functions and the Republic studio and the result is the usual candid views of screen notables. The audience is taken first to a children's fashion show at Mark Twain's Restaurant, to the studio, to a small party at Mother Louella's ranch and to Ciro's, where the annual *Redbook* awards are presented. Running time, 9 mins.

"Timber"

(Disney-RKO)

Here is Donald Duck at his best. Donald in the role of a tramp steals some food at a lumber camp and the foreman sets him to work chopping trees. Donald gets into the usual mischief but the reel ends in a laugh-filled chase down the railroad tracks with Donald and the foreman operating hand cars. Running time, 8 min.

Good Authority

Pittsburgh, Feb. 25.

QUOTING the Bible as reason for not distributing passes, local exhibitor answers requests with one of the following: "Though they roar, they shall not pass" (Nahum 1:15). "This generation shall not pass" (Mark 12:30). "The wicked shall no more pass" (Jeremiah 5:22). "Suffer not a man to pass" (Judges 3:28). "Thou shalt not pass" (Numbers 30:18). "None shall ever pass" (Isaiah 35-15). "So he paid his fare and went" (Jonah 1:3).

'Kane' Ads Appear

First national magazine advertisements on "Citizen Kane," Orson Welles film which will be released by RKO, are already appearing. The magazine campaign was prepared by Donahue & Coe.

The most famous hero
of his day in the arms
of the notorious beauty
the world called That
Hamilton Woman!

WMCA to Give Free Time to Candidates

In what is believed to be one of the few times a station has given free time for political talks, WMCA will contribute a total of an hour and one-half to Democratic, Republican and Socialist candidates for the Congressional vacancy in the 17th New York district. The candidates will discuss current issues. The talks will be March 1, 5 and 7.

Ascap Decree Goes To Goddard Today

Ascap's Federal consent decree will be submitted to Federal Judge Henry W. Goddard in U. S. District court here today. Public hearing on the decree already has been tentatively set for Monday.

Settlement of the Government's criminal information against the society is scheduled to take place in Federal court at Milwaukee next Wednesday with the imposition of fines totaling $24,000 against Ascap and 19 publisher-members.

Poletti Explains Fee in Ascap Case

ALBANY, Feb. 25.—Lieutenant Governor Charles Poletti today issued a statement explaining his activity as special counsel to Ascap in the consent decree negotiations with the Department of Justice, in which Ascap is reported to have been billed for a $50,000 fee. This was in connection with a bill prohibiting elected state officers from doing outside work for pecuniary gain. Poletti said the fee would go to the law firm of Diamond, Rabin, Botein and Mackay, with which he was associated in the matter.

May Make Sets for Color Television

Farnsworth Radio & Television Corp. yesterday was reported to be considering production of color television sets for Dr. Peter C. Goldmark, CBS chief television engineer, who developed a color system. Goldmark called a meeting of manufacturers last week to interest them in producing color sets but only Farnsworth expressed immediate interest, it was said. Goldmark, it was reported, sought about 20 sets built to his specifications at the start for the purpose of making field tests on color transmissions from the CBS transmitter.

FCC Hearings Set On 3 Applications

WASHINGTON, Feb. 25.—The Federal Communications Commission has set hearings March 28 on the applications of J. C. Kaynor for a new 1,310-kilocycle, 250-watt broadcasting station at Ellensburg, Wash., and Station KGNO, Dodge City, Kan., for increase of night power from 250 to 500 watts.

It was also announced that a hearing will be held April 10 on the application of the Granite District Broadcasting Co. for a new 1,500-kilocycle, 250 watt station at Murray, Utah.

Off the Antenna

WHN yesterday obtained a sponsor for "Kid Wizards," seven 15-minute participations for the "Cinderella" show, and nine U.P. news periods, all on the same contract. Consolidated Royal Chemical Corp. is the sponsor on behalf of New Vitaminized Yeast tablets. Participations on the "Cinderella" program will be 11:15-11:30 P.M. every day. The news periods will be 7:15-7:30 A.M., Mondays through Saturdays and 9:45-10 A.M., Mondays, Wednesdays and Fridays. The contract is for 10 weeks.

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Purely Personal: *Ed Baker, WHOM staff organist, has been invited to play the novachord at the annual banquet of the Overseas Press Club tomorrow. . . . Lambdin Kay, former director of WSB, Atlanta, has joined the Atlanta Community Fund as publicity director. . . . Al Stephan, assistant to Harry Hartman WCPO, Cincinnati, sportcaster, and Betty Murphy have been married. . . . Billy Gilbert will be guest on the Rudy Vallee show tomorrow.*

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Signs of Spring: WNYC which has to sign off when the sun sets in Minneapolis, will have 45 minutes added to its schedule Saturday to a 7:15 P.M. signoff.

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NBC and Mutual each added an Indianapolis station to their list of affiliates yesterday. On May 1, WISH, now under construction, will become a Basic Blue outlet. The station will operate on 1,280 k.c. with 5,000 watts, day, and 1,000, night. Between now and May 2, four other stations will join NBC. These four, which have been announced previously, are WTRY, Troy, N. Y., March 16; WOC, Davenport, Ia., March 16; WORD, Spartanburg., S. C., March 29, and WWVA, Wheeling W. Va., May 2. These will bring the total of Basic Blue stations to 101, Basic Red 73, and supplementals 61, for an overall total of 235.

The Mutual addition will be WIBC on about April 15 when its new transmitter is completed. It will operate then on 1,070 k.c. with 5,000 watts, day, and 1,000, night. H. G. Wall is president of WIBC, which will be the 175th Mutual outlet.

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Program News: *Ben Bernie has changed the format of his show to include an "Army" quiz. The audience participants are called "draftees" and the questions are called by various grades from "buck private" to "colonel." . . . The American Economic Foundation will sponsor "Wake Up, America!" over WHN Mondays from 9:15-10 P.M. for 13 weeks beginning Monday. . . KMOX, St. Louis, has prepared an elaborate series to originate from Army camps.*

Set Canada Survey in Music Fee Fight

TORONTO, Feb. 25.—To help settle the dispute between the Canadian Performing Rights Society and Broadcast Music of Canada, Inc., over the question of royalties for musical compositions, a listener survey of music played over the air will be conducted on the suggestion of the Copyright Appeal Board.

No intimation has been made as to the method to be used or whether it will be a check of CBC network stations or programs of independent broadcasters, or both. The suggested move developed out of the claim of Col. O. M. Biggar of Toronto, representing the society, who claimed that more music was being broadcast than ever before and that music was the popular feature of programs generally. He contended that more music was being broadcast because the total time of all stations had been increased and the society, therefore, was entitled to an increase in the fee collected from stations from eight to 14 cents per radio set per year. Up to the present time, the society has had a monopoly on broadcast music, but BMI of Canada has applied for a share of the fee.

Brooke Claxton, representing CBC, has declared that only 45 per cent of all program time of CBS stations is now devoted to music, as compared with 63 per cent in 1935, the decrease having occurred largely since the outbreak of war because of the demand for time for official talks, statements and newscasts in connection with the war effort.

CBC Sponsors Unity Broadcast Programs

OTTAWA, Feb. 25.—Canadian Broadcasting Corp. in cooperation with the Canadian director of public information tomorrow will start a series of 13 programs to be called "Canadians All." The broadcasts will feature the cultural contributions of the larger foreign language groups in this country and is designed to build national solidarity. They will be heard Wednesdays at 10:30 P.M. EST.

Film, Radio Work in Canada at $202,672

TORONTO, Feb. 25.—During 1940 the Canadian Government spent $202,672 through the Director of Information in the coordination of services such as radio and motion pictures, providing factual and reference material, consultations with officials of the Canadian Association of Broadcasters representing independent stations and arranging for production of official films through the National Film Board.

Says AGMA to AFM: 'Ready For a Fight'

With only three days remaining before the American Federation of Musicians regulation that all instrumentalists must join the A.F.M., the American Guild of Musical Artists refused yesterday to reveal its plans except that it "was ready for a fight."

Despite this, the A.F.M. yesterday declared that among 35 new members which have joined the union in the last two weeks, several were soloists and accompanists from AGMA. Some noted musicians have joined, it was said.

In AGMA circles it was pointed out that as far as radio was concerned the contracts between the A.F.M. and the networks specifically exempted concert soloists and that any attempt to prevent such performers from appearing with orchestras over the air might be a violation of the contracts.

Henry A. Friedman, A.F.M. attorney, discounted this theory, however. He said that the contracts were signed by local unions within the A.F.M. and not by the international union itself. Under these circumstances, he said, the A.F.M. would have the right to order its members to refuse to play with instrumentalists who refused to join the musicians' union.

Meanwhile, network officials were concerned about the possible effects of a jurisdictional dispute. The first enforcement of the rule may come Sunday against Albert Spalding, who appears regularly with Andre Kostelanetz's orchestra on the Coca Cola show over CBS. Spalding is an active AGMA member. If the musicians refuse to play with Spalding, there is a possibility that Lawrence Tibbett, AGMA president, may refuse to sing with the Ford "Sunday Evening Hour" orchestra with whom he is scheduled to appear over the same network on the same evening. However, AGMA officials refuse to affirm or deny this possibility.

Daylight Saving Is Extended in Canada

TORONTO, Feb. 25.—Whether exhibitors like it or not, they are going to get more Daylight Saving Time in Canada this year and for the remainder of the war, according to C. D. Howe, Minister of Munitions. The Government ordered municipalities in Ontario and Quebec which had been observing Summer Time to continue it throughout the Winter and now it has been decided that daylight saving will be put into effect in all cities and towns of Eastern Canada for the conservation of electric power for war purposes. Consideration is being given to the extension of Daylight Saving in Western Canada.

Shower of Medals

Irving E. Showerman, Eastern sales manager for NBC-Red, yesterday received notification from the War Department that he had been awarded the Order of the Purple Heart with two oak leaf clusters and the Silver Star Medal for bravery during the first World War. Showerman was wounded four times during the war.

2 Games Measures Filed in Albany

ALBANY, Feb. 25.—Assemblyman Max Turshen today introduced into the New York State legislature two chance games bills. One is a constitutional amendment, requiring two successive favorable votes by the legislature, followed by a popular referendum, to legalize the games.

The other, setting up games regulation under the Department of State, provides a $100 annual license fee; restricts the games to charitable, religious and similar organizations incorporated five years or more; prohibits games on Sunday; limits the hours they may be played, and requires 10 per cent of the gross be paid to the state.

Assemblyman William Manning of Rochester submitted a bill permitting employment of children in performances by non-profit associations. Written parental consent and notification to the Society for the Prevention of Cruelty to Children would be required.

Assemblyman William T. Andrews today introduced a series of bills designed to penalize places of amusement as well as individuals who discriminate because of color, race, religion or other reason.

Publicists Hearing On WB, M-G-M Today

Screen Publicists Guild will start its case against Warners and M-G-M for designation as collective bargaining agency today before Daniel Baker, trial examiner for the National Labor Relations Board. Testimony on the case against the six other major companies was concluded Monday, after 15 days of hearings.

The S.P.G. claims 90 per cent of the home office publicity department employes eligible to vote in N.L.R.B. elections. The companies' principal chief contention before the board was that artists, particularly those who free lance, should not be included. With the exception of foreign publicity staffs, an agreement was reached on all other employes in the advertising and publicity departments.

After testimony is completed, transscripts of the record are sent to Washington for a decision by the Board.

Bingo Is Gambling Jersey Jury Holds

The Grand Jury of Union County, N. J., yesterday held that Bingo, regardless of the purpose for which it is played, is gambling. As a result, Assistant Prosecutor Thomas F. Hueston directed the chiefs of police of the county's 20 municipalities to clamp the lid on the game, which has been put on by numerous organizations and proved stiff competition to theatres.

Boston Group Takes House in Rochester

ROCHESTER, Feb. 25.—Philip Smith Theatrical Enterprises of Boston has taken a 25-year lease on the new 1,200-seat theatre planned in suburban Brighton. This is the first neighborhood house built here in several years.

Theatre Changes

Plans Ontario House

TORONTO, Feb. 25.—Jack Allen, independent proprietor of the Tivoli Theatre at nearby Thorold, has started construction of a theatre which will be the first for Niagara-on-the-Lake, Ontario. It is planned to open the theatre in time for the Summer holiday trade, the town being a tourist center.

Manages Warner House

RACINE, Wis., Feb. 25.—Stanley Lambert, manager of Warners' Rialto here, has been named manager of the circuit's Venetian, succeeding Jack Keegan, who has become buyer for United Detroit Theatres, Detroit.

Plans Kentucky Theatre

CINCINNATI, Feb. 25.—Mrs. Ruth Bressler has purchased a site at nearby Bellevue, Ky., on which she will erect an 800-seat theatre.

Rochester Suburban Planned

ROCHESTER, Feb. 25.—With plans approved by the Brighton Town Board, construction of a new 1,000-seat theatre in the suburban community will start shortly.

Renovate Warner Theatre

PHILADELPHIA, Feb. 25.—Warners' Princess, in the downtown area, is being equipped with a new front and lobby, modernized rest rooms and general renovations to be completed next month.

Columbus House Opened

COLUMBUS, O., Feb. 25.—The 900-seat suburban Beechwold, has opened here. Admission is 25 cents, children 10 cents. Milton Yassenoff is manager of the house, which recently was acquired by Louis Wiethe, Cincinnati, from the estate of the late C. A. MacDonald.

Acquires Wheeling House

WHEELING, W. Va., Feb. 25.—The Virginia Theatre here, a local landmark, has been purchased for $80,000 by Wheeling Theatres, Inc., from the Conservative Life Insurance Co. The circuit controls five other houses here.

Manager Transferred

MINNEAPOLIS, Feb. 25.—A. J. Sonasky has been transferred from the Minnesota Amusement Co. staff at Virginia, Minn., to become manager of the Loring Theatre, one of the company's suburban houses in Minneapolis.

Reopens in San Francisco

SAN FRANCISCO, Feb. 25.—Jess Levin's Avenue Theatre, recently gutted by fire, has been reopened after complete reconditioning.

Manages Telenews Theatre

CLEVELAND, Feb. 25. — Holden Swiger, managing director of deluxe theatres, has been appointed manager of the newly opened Telenews Theatre here.

Greek Relief Fund Committee Is Named

An organizing meeting of the New York metropolitan area committee of the local Amusement Industry Division for the Greek War Relief Week, March 25 to 30 was held at the Hotel Astor yesterday. Joseph R. Vogel of Loew's is chairman of the division.

John J. O'Connor, co-chairman of the area with Harry Brandt and Fred Schwartz, presided. Brandt spoke on work among neighborhood theatres. Schwartz was named local treasurer, and the meeting was also addressed by A. P. Waxman, general publicity director of the National Greek Relief Drive.

Ray Whittaker of the Shubert organization promised legitimate theatre cooperation. Spyros Skouras discussed the aims of the drive.

The borough committee named at the meeting includes: Manhattan, Leo Brecher and Max Cohen; Bronx, J. J. Thompson and Laurence Bolognino; Westchester, Irwin Wheeler; Queens, Fred Schwartz and Sam Rhonheimer; Brooklyn, Harold Rinzler and Sam Strausberg; Staten Island, Si Fabian and Charlie Moses; Long Island, Joe Seider. In addition to these borough chairmen, the division and district managers of all circuits will act as co-chairmen in each section.

Club Sponsors Ball

BALTIMORE, Feb. 25. — The annual Preakness Ball in Baltimore, which takes place on the evening of the celebrated Preakness Race, is to be sponsored this year by the Variety Club and the proceeds given to charity.

Discuss Sales Quota At Republic Regional

LOS ANGELES, Feb. 25.—Discussions today at the second and final day's session of Republic's western regional sales meeting here was concerned with sales quotas for the 1941-'42 season.

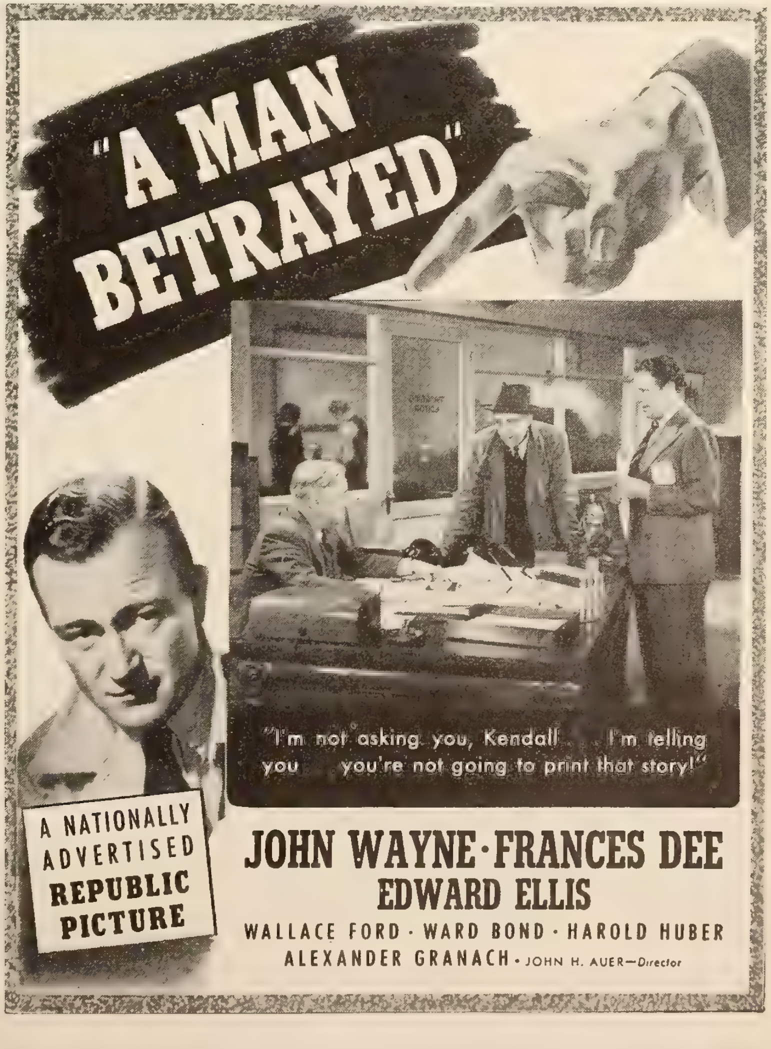
Increases in quotas, the sales force was told, will be based on increased production budgets for the new season. James R. Grainger, president, and Herbert J. Yates spoke. They will go from here to Kansas City, where the second regional meeting is scheduled to open Thursday for two days.

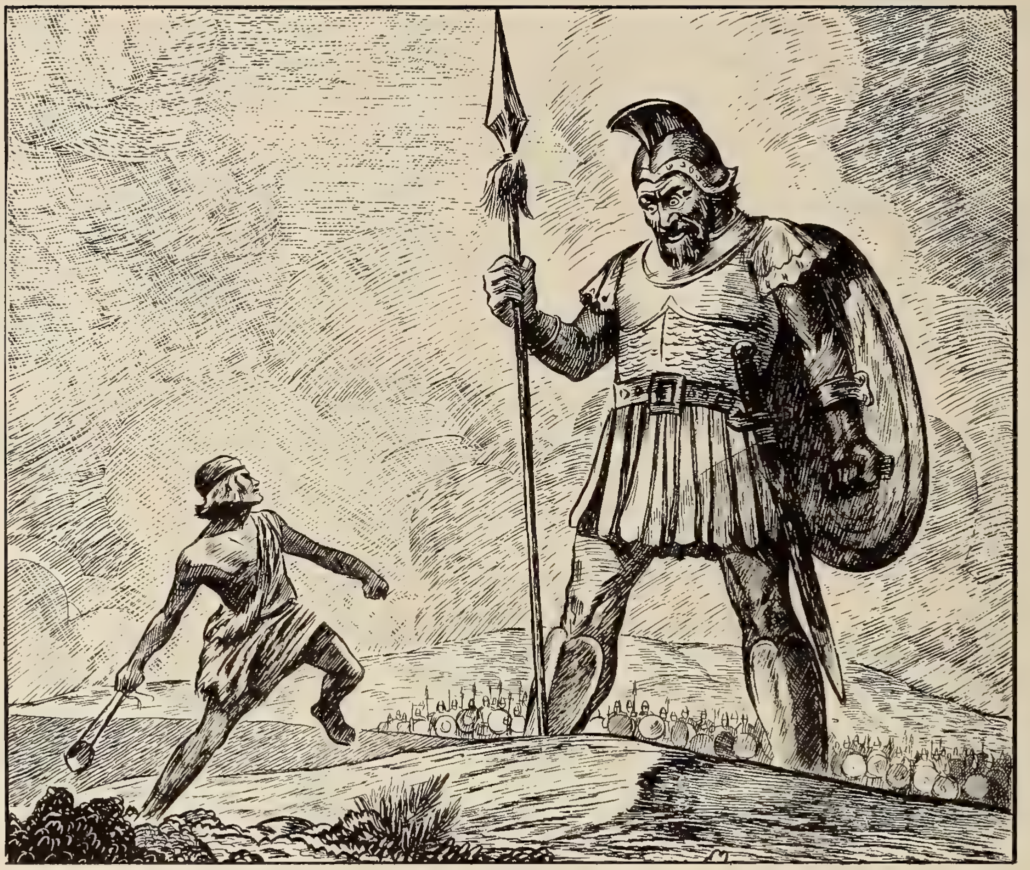
Five Arraigned in Theft from Eastman

Thefts involving about $30,000 worth of film from the Eastman Kodak Co. here led to the arraignment of five men in Felony Court on charges of grand larceny yesterday. Information that the film was being sold at less than the regular price led to the arrests. One of the men is Joseph Forsack, employed by the firm. In addition, Leo Astroff, a salesman, accused of buying $1,000 worth of the film, was charged with criminally receiving stolen goods.

Tax Claim Settled

The Government yesterday agreed to settle an income tax claim against the estate of the late Marilyn Miller for $20,000, after demanding $57,164 on 1930 and 1931 income. Miss Miller died in 1936, leaving an estate estimated at $91,539.


"A MAN BETRAYED"
"I'm not asking you, Kendall . . . I'm telling you . . . you're not going to print that story!"
A NATIONALLY ADVERTISED REPUBLIC PICTURE
JOHN WAYNE · FRANCES DEE
EDWARD ELLIS
WALLACE FORD · WARD BOND · HAROLD HUBER
ALEXANDER GRANACH · JOHN H. AUER—Director



An open letter to the Motion Picture Industry

History repeats itself—with Greece and Fascism enacting the roles of David and Goliath.

The heroic valor of the Greeks in their defense of democracy, has aroused the admiration of every liberty loving American. This little country—and it's a very small country—has stood up and fought Fascism to a standstill. It has put new heart into all little countries.

Today, we of the Amusement Industry, are asked to do our small part. The suffering, the struggles of millions of valiant men, women and children, will be lightened by knowing that here in the United States are fellow humans who want them to win and furthermore—are willing to do something about it! John H. Harris and Gradwell L. Sears have very kindly volunteered to aid me in organizing all exhibitors and distributors for this great cause. We have set aside the period of March 25-30 as the days to raise the funds through the active participation of all theatres everywhere. As Chairman of the Amusement Industry Division of the Greek War Relief Association, I appeal to you to do your share in making our drive a complete success.

The Greeks love liberty so much they're willing to die for it. The least we of this thrice blessed country can do is to help the women and children of these gallant defenders of democracy. We have nothing to lose if they gain. We have nothing to gain if they lose.

Sincerely, Adolph Zukor

ADOLPH ZUKOR, *Chairman*

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 49. NO. 40 NEW YORK, U. S. A., THURSDAY, FEBRUARY 27, 1941 TEN CENTS

Ascap Decree Sets Stage for Air Agreement

Per Program Formula Is Awaited by NAB

The Ascap consent decree "paves the way for immediate settlement of the difficulties between the music society and the broadcasters which have resulted in the banning of Ascap music from the air since Jan. 1," Assistant U. S. Attorney General Thurman W. Arnold asserted in a statement issued following the submission of the decree yesterday to Federal Judge Henry W. Goddard.

At the same time, the Department of Justice filed a new civil anti-trust suit against Ascap in Federal court here and moved for dismissal of the 1934 Federal action pending against the society. If approved by Judge Goddard following the public hearing tentatively set for next Monday, the decree will dispose of the new suit.

"All objectionable practices (of Ascap) have been resolved by the

(*Continued on page 6*)

Legion Reclassifies 'Thing Called Love'

The National Legion of Decency has reclassified "This Thing Called Love," Columbia picture, from Class C (Condemned) to Class B (Objectionable in Part), following revision by the company.

The Legion yesterday issued the following statement to its members:

"The many and important cuts which were made in the original version of the film have been deemed sufficient to warrant a change in classification from 'C' or Condemned to 'B' or Partly Objectionable. The cut

(*Continued on page 6*)

Para. Is Considering 'Wings' as Roadshow

"I Wanted Wings" is under consideration for roadshow exhibition by Paramount, it was learned yesterday. If this handling is decided upon, the film, according to officials, will have its first run performance at the Astor on Broadway, following the run of

(*Continued on page 6*)

Bolognino Group Reported Taken Over by Joelson

Consolidated Amusement Enterprises, operating 21 theatres in Manhattan and the Bronx, on Saturday will pass to the ownership of Julius Joelson, former Massachusetts theatre operator, under a deal closed by Laurence S. Bolognino, head of Consolidated, it is reported.

Consolidated houses pooled with other circuits, such as KAO, will not be affected. Joelson about 13 years ago had a small circuit here and later acquired several houses in the Boston area.

A. L. Suchman, buying head of Consolidated, at one time was associated with Joelson in theatre operations.

Consolidated has 14 houses in the Bronx and seven in Manhattan, along Eighth Ave. and the Bryant on 42nd St.

Shea Acquires 4 Theatres in Ohio

E. C. Grainger, head of the Shea Circuit, disclosed yesterday that the circuit has purchased the stock of the late Edward Finch and Edward Steward in the C. & M. Amusement Co., which operated the Colonial and Strand in Cambridge, O., and the Hippodrome and Putnam in Marietta, O.

Shea already operates two theatres in each of the towns. Recently Grainger acquired the Colonial in Wheeling, W. Va. With the most recent acquisitions, the Shea Circuit holdings now number more than 60 theatres.

ORDERS DISMISSAL OF LACROSSE SUIT

Federal Court in Wis. Clears Defendants of Conspiracy Charge

Madison, Wis., Feb. 26.—Federal Judge Patrick T. Stone ordered dismissal of the LaCrosse Theatres Co. anti-trust suit in mid-trial in U. S. District Court here today and exonerated the three major distributor defendants and two theatre companies of charges of conspiracy. Damages of $350,000, tripled, were sought.

The dismissal was taken at the request of Harold M. Wilkie, attorney for the defendants, when William D. Burford, vice-president of the plaintiff company, failed to appear as a witness. The trial lasted 10 days.

Defendants were Paramount, 20th Century-Fox, United Artists, Minnesota Amusement Co. and Ed Ruben, and Wellworth Theatres of Wisconsin, Inc., an affiliate of Minnesota Amusement.

The LaCrosse company's action, filed in July, 1938, charged the defendants with conspiracy to divert product from plaintiff's first-run the-

(*Continued on page 6*)

Boston Clearance Complaint Filed

The second demand for arbitration to be filed with the local board at Boston was made yesterday by Garbose Bros., owners of the York and Capitol, Athol, Mass., and named all five consenting companies.

The complaint sets forth that although the plaintiff's two houses are first runs in Athol, pictures are not made available to them until after they have played Boston and Fitchburg first runs. Complainant asks the right to play day and date with the two latter cities.

The Dallas local board received its first complaint yesterday but due to errors the details were withheld.

Two Coast Reviews

Hollywood reviews of "The Lady Eve" and "Flying Wild" are on Page 3. Critics' Quotes of new pictures will be found on Page 11.

Expect Wide Changes for British Trade

London, Feb. 26.—The possibility of wholesale legislative changes in England with regard to the film industry is seen in some quarters in the meeting of the Films Council tomorrow.

It is known that the council will enter into further discussion, begun last week, of the legislative situation, with probable reference to the proposal for a Films Commission of wide power, which has been frowned upon by virtually all sections of the trade. The product shortage in this country is expected to occupy a large share of the attention of the council at tomorrow's meeting.

The Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) today discussed special treatment for exhibitors in the bombed areas. The C.E.A asked for a reduction in rentals in those cases and the K.R.S. agreed to recommend to its members that consideration be given individually.

The C.E.A. decided today to ask the Home Secretary to receive a deputation which will ask a reduction of the Sunday opening charity tax.

RCA Held 44,757 Shares Of RKO Stock on Dec. 31

RCA, according to its annual report released yesterday, held at the close of 1940, 44,757-106/1000 shares of six per cent convertible preferred stock of RKO. In addition RCA also held 316,328-2/24 of common and 555,253¾ option warrants, all of which were received last year upon termination of RKO's 77b reorganization in exchange for old common and debentures previously held.

Although RCA lists the investment in RKO at the purchase price of the securities of $6,614,434, a footnote explains that the value of these securities on the New York exchanges at the end of 1940 was $3,284,302, as compared with $2,970,484 at the end of 1939.

A net profit of $9,113,156 for 1940 was reported yesterday by RCA in the annual report to stockholders, an increase of $1,030,345 or 13 per cent over 1939. Total gross income was $128,491,611, an increase of $17,997,213 over 1939.

Earnings on the common stock were 42.5 per cent per share, as compared with 35 in 1939, after payment of all preferred dividends. Taxes paid or accrued amounted to $7,580,403, up 58 per cent over the previous year. Capital additions and improvements during 1940 totaled $4,723,390, of which

(*Continued on page 6*)

Coast Flashes

Hollywood, Feb. 26

ARTHUR M. LOEW, first vice-president and general foreign manager of Loew's, and Morton Spring, assistant manager of the international organization, arrived here today for a week of conferences at the M-G-M studio on forthcoming product.

•

Monogram today announced the addition of a series of eight "Rough Riders" westerns for the 1941-'42 schedule. I. E. Chadwick will produce "Red Head" as his second Monogram release this season.

•

Republic has signed "Slingin Sammy" Baugh, former Texas Christian football star, now with the Washington Redskins. He will be featured in "King of the Texas Rangers," a serial scheduled to be completed in August with a Texas cast. The serial will be given a premiere in Dallas, Ft. Worth, San Antonio and Houston.

•

Hal Horne, Eastern representative for Walt Disney, and Richard Condon, Eastern publicity manager, have arrived here for conferences with Disney on his forthcoming film, "The Reluctant Dragon."

•

Richard Wallace, director, today was signed to a contract by Columbia for two films a year.

Honor Jesse Jones At Capital Monday

WASHINGTON, Feb. 26.—The local Variety Club on Monday will honor Secretary of Commerce Jesse Jones, recently made an honorary member of every Variety chapter in the country.

He will be guest of honor at a luncheon in the Willard Hotel, at which he will receive a gold membership card. The "kings for a day" will be Carter Barron and Nate Golden.

Music Hall Sets Greek Relief Show

A midnight show for the benefit of Greek War Relief will be held at the Radio City Music Hall during the week set aside for theatres' participation in the drive. The tentative date for the benefit is Friday, March 28. Joseph R. Vogel of Loew's, chairman of the New York division committee, is handling arrangements.

Maurice McKenzie Married in Indiana

Announcement was made here yesterday of the marriage of Maurice McKenzie and Nellie Stone at Crown Point, Ind., last Saturday. McKenzie retired a year ago as executive assistant to Will Hays, president of the Motion Picture Producers and Distributors of America.

Rita Hayworth in 'Wife'

HOLLYWOOD, Feb. 26.—Rita Hayworth will appear in "Our Wife," to be produced ad directed by John Stahl as his first for Columbia.

Personal Mention

JACK L. WARNER, vice-president in charge of Warner production, arrived here from the Coast yesterday.

•

SAM BRISKIN arrived from the Coast yesterday for conferences with Columbia home office executives.

•

E. C. GRAINGER, head of the Shea Circuit, will leave tomorrow with his wife and daughter, ALICE PATRICIA, for a month at Fort Lauderdale, Fla.

•

ROBERT SMELTZER, Warners' Central district manager, returns to his headquarters in Washington today after conferences here with ROY HAINES, Eastern and Canadian sales manager.

•

ARTHUR WILLI, RKO Eastern talent scout, leaves today for Buffalo. He will return here Saturday.

•

WILLIAM BRENNAN, vice-president in charge of operations for National Screen Service, is recuperating at his home after a serious illness.

•

HARRY BUCKLEY, JOHN WRIGHT, RUBE JACKTER and MAX WEISFELDT lunching yesterday at Lindy's (next to the Rivoli).

EARL J. HUDSON, president of United Detroit Theatres, was in New York yesterday for Paramount home office conferences.

•

ROBERT RISKIN left last night for the Coast.

•

ROBERT J. O'DONNELL, CHARLES M. REAGAN, OWEN DAVIS, MAX A. COHEN, RUSSELL HOLMAN, GEORGE WELTNER, JOHN W. HICKS and SIDNEY PHILLIPS at Nick's Hunting Room in the Astor for lunch yesterday.

•

LEONARD GOLDENSON, MRS. MARTIN BECK, LOUIS LETITO, MONTE GOWTHORPE, LEON NETTER, SAM SHAIN, KELCEY ALLEN, CHARLES SONIN, MARCUS HEIMAN, GENE TIERNEY and JOHN D. HERTZ, JR., at Sardi's yesterday for lunch.

•

KAY KAMEN, J. J. MILSTEIN, JACK GOETZ and MARTIN MOSKOWITZ having lunch yesterday at Lindy's (51st St.).

•

LOU POLLOCK, MILTON SILVER, JOSEPH GOULD, ROBERT SAVINI, AL MARGOLIES, MAX MICHEL and ARTHUR LEE lunching at the Tavern yesterday.

Services Held for Jack Segal's Wife

Funeral services were held yesterday morning from St. Elizabeth's Church, Wyckoff, N. J., for Mrs. Anna Segal, wife of Jack Segal, head of Columbia exchange operations. Mrs. Segal was killed in an automobile crash early last Sunday morning.

Segal, who was seriously injured in the accident, was reported yesterday as slightly improved at the Paterson, N. J., General Hospital. The accident occurred at Glen Rock, N. J., as the couple was returning from the annual Columbian Club ball.

Joseph McConville, foreign sales chief, who called off a trip to Latin American branches when he learned of the accident, attended the funeral yesterday. He has made no new plans to resume the South American trip.

Plan Benefit Party

CINCINNATI, Feb. 26.—The local Variety Club Monday night will hold an indoor stag picnic for members and their guests, to raise additional relief funds. Allan S. Moritz, Columbia branch manager, is chairman.

Jackter Leads Col. Annual Sales Drive

Rube Jackter, Columbia assistant sales manager, was named chairman of the committee in charge of the company's annual sales drive which opens Saturday and continues for three months through May 30.

Members of the committee in addition to Jackter are: Louis Astor and Louis Weinberg, in charge of circuit sales; Max Weisfeldt, short subjects sales manager; Maurice Grad, sales promotion manager; Henry Kaufman, manager of exchange operations, and George Josephs, manager sales accounting department.

The drive, called the "Columbia Exhibitors Good Will Campaign," will feature competitive events with special awards for branch managers, salesmen and bookers.

Metro Club Elects

NEW HAVEN, Feb. 26.—The Metro Pep Club has elected Rosemary Patterson president. Other officers are Molly Smith, vice-president, Anna Caparossi, treasurer, and Ethel Philips, secretary.

'Tobacco Road' and Critics

AWAY back in December, 1933, just about the time Prohibition was being repealed, Hitler had just come into power, the NRA hadn't been heard of as yet and President Roosevelt was in the first year of his first term, "Tobacco Road" opened to the unanimous disapproval of Broadway's critics. The only disagreement among critics was that some believed the play would not last a week, while others though it might run for as much as two weeks.

Times have changed since then but not the critics.

"Tobacco Road" is still running.

So is 20th Century-Fox's film of the same name based on the play, which today enters its second week at the Roxy, after a nice $56,000 on its first week.

1942 Mardi Gras Is Set for Feb. 17

NEW ORLEANS, Feb. 26.—Nex year's annual New Orleans Mard Gras has been set for Feb. 17.

The current year's festival concluded yesterday, after more than a week of parades, balls and parties of al sorts. Theatre business suffered, as usual, during this 114th performance of the Mardi Gras, but picked up measurably on the last day, yesterday. The affair played to hundreds of thousands of residents and visitors.

The carnival spirit was even more in evidence this year than before, in the opinion of many observers, and the occasion was reckoned one of the brightest and most colorful of all Mardi Gras. The nightly pageants or balls are financed secretly by local business men, since it is one of the rules of the carnival organization that no one shall know the identity of its members.

The series of parades which were carried on throughout the past week concluded yesterday, Mardi Gras day, when virtually everyone in the city was on Canal Street at some time or other.

Grainger and Yates Plan Exchange Tour

James R. Grainger, Republic president, and Herbert J. Yates plan a tour of 33 key cities in this country and Canada, with representatives of Donahue & Coe, advertising agency, to contact exhibitors and exchange men on ideas for exploitation of new product. The trip will be made in April.

Grainger and Yates are attending a second regional sales meeting today and tomorrow in Kansas City, following the first in Los Angeles.

Complete production plans will be announced at a New York sales meeting March 6 and 7. The company has increased the number of Jubilee Productions for next season from eight to 10, making the total planned 62, including 30 Westerns. Included are 14 Anniversary Productions and six Supreme Productions starring Gene Autry, in addition to other groups already announced. Elaborate premieres are planned next season on "Sis Hopkins" and "Lady from New Orleans," the latter in New Orleans.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Aluminum Shortage May Hit Air, Films

Film producers and radio broadcasters are facing the prospect of a recording disk shortage within the next month as a result of the Office of Production Management's action early this week is reserving first call on aluminum for national defense operations.

Aluminum is the basic metal empl[illegible] in the making of master plates from which play-back disks are made for film producers and transcription disks for radio stations.

Hazard Reeves, president of Audio Devices, Inc., New York disk maker, said yesterday that only several weeks supply of aluminum was on hand among the companies serving the film and radio industries and that no new orders for aluminum can be placed unless the two industries receive either emergency allotments from the O. P. M. or an essential national defense industry rating.

All of the disk and recording companies, as well as the Radio Manufacturers Ass'n, have sent representatives to Washington to make representations to the O. P. M. It will be pointed out that both films and radio are important factors in national defense work and in public morale; that no substitute for aluminum has been found for disk making and the two industries use only approximately 1,500,000 pounds annually of a total supply of almost 600,000,000 pounds.

Navy Gets $250,000 For Film Expansion

WASHINGTON, Feb. 26.—Preparing to expand its motion picture service, as part of a development program of welfare and recreation for Naval personnel, the Navy Department today was given an additional $250,000 in a supplemental appropriation bill reported to the House by its appropriations committee.

Only a small part of the fund is to be expended on films, for which the Navy already has $85,000, but the bill carried no breakdown, it being left to Naval authorities to expend the sum as they found necessary. The department plans to increase the number of prints taken from distributors for circulation through Naval vessels and shore stations.

Order Records in Publicists Hearing

Trial Examiner Daniel Baker of the National Labor Relations Board yesterday ordered Warners and Loew's to produce all records on payrolls, employe lists on publicists and artists and similar data, at the hearing on the Screen Publicists Guild demand for designation as collective bargaining agency.

The hearing was adjourned until next Wednesday. Attorneys present at the hearing were Berton Zorn, for Loew's; H. S. Bareford, Warners, and H. W. Glickstein, for the guild. Both sides asked for briefer hearings than were held for other companies.

Record for 'Heaven'

MEXICO CITY, Feb. 26.—"All This, and Heaven Too" is establishing a record for this country, with nine consecutive weeks at the local Cine Rex, 1,000-seat house. The film is continuing its run.

Hollywood Reviews

"The Lady Eve"

(Paramount)

Hollywood, Feb. 26.

THIS third of the pictures contributed to Paramount by Preston Sturges establishes definitely the fact that the Sturges name is marquee material to the same extent as those of such showmen as an Alfred Hitchcock, John Ford and the others whose names mean money in the till.

Demonstrated without any possiblity of doubt is Sturges' flair for the fresh treatment of screen material, evinced previously in his "The Great McGinty" and "Christmas in July." Here his talent for doing the unexpected and having it turn out superlatively well is indicated by casting Barbara Stanwyck and Henry Fonda in roles departing from their usual characterizations.

Miss Stanwyck, as both the daughter of a professional shipboard gambler and the glamorous British "Lady Eve," has parts compounded of comedy and romance and excels in each department. Fonda, as the awkward naturalist son of a wealthy brewer, emerges from homespun drama to modern comedy without a shade of hesitancy.

From the time it first flashes on the screen, with a Leon Schlesinger cartoon snake pointing up the title, to its final fadeout, in which William Demarest, as Fonda's guard and valet, exclaims "Positively the same dame!" the story is a hilariously adult treatment of the female's luring, and eventual capture, of the male of the species.

Typical of the dialogue, and of the mood the picture sets, is the scene aboard ship in which the stars and Charles Coburn, as Miss Stanwyck's father, each make a toast before having their first drink together. The professional card sharp, his hooks sharpened for the inviting prey he sees in Fonda, says "Washington and Valley Forge." Not to be outdone, Fonda replies "Dewey and Manila," which the girl climaxes with "Napoleon and Josephine!"

Their romance abruptly terminates when the boy discovers that the girl with whom he has fallen in love while returning from a year spent up the Amazon is really a card sharp, as is her father. The girl then proceeds to pose as a member of the English aristocracy visiting a friend of his family. Actually, the "friend," played by Eric Blore, is equally bogus, but his story of an identical sister, daughter of the same mother but of a coachman rather than an English nobleman, fools the boy to such an extent that he marries the girl.

To compensate for her humiliation at his hands, she fills the boy with stories about her wild youth, again convinces him so fully that he jumps off the train on their wedding night, refuses to see her again.

They meet once again on board ship, the girl this time in her first characterization, and reactions between them indicate no doubt that the romance will be consumated. It is here that the "Positively the same dame" line ends the film.

Handled throughout in a light vein, as indicated, the picture does not hesitate to kid itself in part, through musical effect and varied forms of slapstick. The success of the treatment may best be indicated by reporting that a press preview night audience laughed throughout, at times to an extent drowning out dialogue.

In addition to the players mentioned, Eugene Pallette, Melville Cooper, Martha O'Driscoll and Janet Beecher are featured. Paul Jones produced, as he did the two preceding Sturges pictures.

Running time, 95 minutes. "A."* W. S.

**"A" denotes adult classification.*

"Flying Wild"

(Monogram)

Hollywood, Feb. 26.

FIFTH in the series of pictures featuring "The East Side Kids" produced by Sam Katzman, "Flying Wild" deals with a band of saboteurs and spies stealing plane plans from a factory in which the youths work. The boys, headed by Leo Gorcey and Bobby Jordan, capture the band after some implausible adventures laden with excitement and comedy.

Supporting the duo are Joan Barclay, Dave O'Brien, George Pembroke, Sunshine Sammy Morrison, David Gorcey, Donald Haines, Eugene Francis, Bobby Stone, Herbert Rawlinson, Dennis Moore, Forrest Taylor and Bob Bill.

William West directed the film, for which Pete Mayer was Katzman's associate producer.

Running time, 63 minutes. "G."* VANCE KING.

**"G" denotes general classification.*

Foresees Passage Of Ga. Sunday Bill

Augusta, Ga., Feb. 26.—Passage of the bill to legalize Sunday films in Georgia municipalities when it comes up for a second vote in the Senate was foreseen today by Floor Leader H. B. Edwards. The bill was defeated Monday by four votes, and Senator Pat Campbell, its co-author, today filed intention to have it reconsidered. It would permit Sunday shows where 25 per cent of the voters request them, and their recall by the same number of voters, with one referendum a year permitted.

N. S. S., Casanave In Court Actions

National Screen Service, Inc., yesterday filed suit in N. Y. County Supreme Court through Herman Robbins and Toby Gruen, directors, against Charles L. Casanave, vice-president and general manager of National Screen's subsidiary, National Screen Accessories, Inc., and also against the latter company, seeking an accounting of alleged secret profit made in a stock purchase and manufacturing agreement between National Screen Accessories and American Display Company, Inc.

A summons has also been served in an action in the Westchester County Supreme Court at White Plains by Casanave against Robbins, Gruen and Elliot E. Pearlman, officers of National Screen Service, on Harry A. Samwick and Murray Hellwick, officers of American Display, and on National Screen Accessories, American Display and Advertising Accessories, asking for declaratory judgment setting forth that the contract between Casanave, National Screen Accessories and American Display is valid.

Wanger Planning 3 For UA Next Season

HOLLYWOOD, Feb. 26.—Walter Wanger plans three pictures for United Artists release during the 1941-'42 season.

In addition to "Sundown," already announced, he will make "Eagle Squadron," story of Americans in the R.A.F., and a third to be selected from among three properties. Merian C. Cooper is in England filming background material for "Eagle Squadron." The film, "So Gallantly Streaming," originally announced for 1941 release, has been postponed.

ITO Talks Continue Over Union Contract

The New York I.T.O.A. is continuing negotiations with Operators' Local 306 on the union's request for a wage increase, which was to have become effective last September, the membership was informed at a meeting at the Hotel Astor yesterday.

Under the 10-year master agreement concluded in September, 1936, wage increases of at least $1 a week per booth are provided every two years. The present negotiations are over the union's new wage demands made last September.

ERROL FLYNN

In his big **M-O-D-E-R-N** adventure!

'Footsteps in the Dark'

It's a great mystery!

It's a terrific romance!

It's a howling comedy!

It's a smash!

with

BRENDA MARSHALL

RALPH BELLAMY • ALAN HALE

LEE PATRICK • ALLEN JENKINS • LUCILE WATSON

Directed by **LLOYD BACON**

Screen Play by Lester Cole and John Wexley • From the Play by Lazlo Fodor, Bernard Merivale and Jeffrey Dell

ONLY THE **WARNER** EXHIBITOR CAN FOLLOW 'STRAWBERRY BLOND

BOTH T

EDWARD. G.
ROBINSON
IDA
LUPINO · GARFIELD
JOHN

'The Sea Wolf'

Directed by
MICHAEL CURTIZ

JACK LONDON'S
thundering story!

with Alexander Knox • Gene Lockhart • Barry Fitzgerald
Screen Play by Robert Rossen • Music by Erich Wolfgang Korngold

ITH
IESE
IN MARCH!

JACK L. WARNER *In Charge of Production*
HAL B. WALLIS *Executive Producer*

Court Orders Dismissal in La Crosse Suit

(*Continued from page* 1)

atres in LaCrosse to two new theatres which had been opened there by Wellworth. The plaintiff previously operated the only first runs in LaCrosse.

The case first came to trial last Oct. 30 before Judge Stone and a jury but was interrupted by the sudden illness of plaintiff's attorney. Trial was resumed Feb. 17 before Judge Stone and a new jury. Counsel for the plaintiff today sought another continuance for introduction of evidence, which was denied by the court, and the case was ordered dismissed on its merits.

United Artists and 20th Century-Fox had contended that the sale of their films to the new Wellworth houses was decided by their own business judgment and was not the result of an alleged conspiracy, as charged. The court's ruling sustained this position.

Frederick Pride of Dwight, Harris, Koegel & Caskey represented 20th Century-Fox at the trial. Paramount was represented by Louis Phillips, home office attorney.

Legion Reclassifies 'Thing Called Love'

(*Continued from page* 1)

version of the film has been rated as Partly Objectionable because of the original theme—emphasis on which, however, has been considerably lessened.

"Inasmuch as Legion classifications are national, it was necessary that the Legion be sure that the revised version would be the version exhibited throughout the United States. This assurance was given in a spirit of cooperation by Mr. Jack Cohn, executive vice-president of Columbia Pictures Corporation, in a signed letter to the Legion under date of Feb. 25, reading as follows:

"'In accordance with your request, this company has made all the changes in its production, "This Thing Called Love," requested by the National Legion of Decency. Wires have been sent to every one of our branches, as well as our studio, notifying them of these changes, and that they are effective immediately.

"'Mr. Hode has informed me that these changes will alter the Legion's rating on this picture from C to B.

"'May I, on behalf of Columbia Pictures, express my thanks to the National Legion of Decency for its cooperation in the foregoing.'"

Starr Edits Journal

Martin Starr has been appointed editor of the Ampa's souvenir journal for the organization's Silver Jubilee dinner and dance at the Hotel Edison on April 4, it was announced yesterday by Leon Bamberger, president. March 15 has been set as the deadline for editorial contributions for the publication.

Government Plans No Censorship Of Press or Radio, Mellett Says

Washington, Feb. 26.—Absolutely no censorship of radio, the press or other mediums is contemplated by the Administration, a House committee was told today by Lowell Mellett, director of the office of Government reports.

Appearing before the committee to discuss a $1,500,000 appropriation asked by President Roosevelt for maintenance of the organization, Mellett assured inquiring members that recent reports of a contemplated censorship are entirely without foundation.

"If any censorship is contemplated this office knows nothing about it," he asserted. "My belief is that no censorship is contemplated, either now or if this country should become involved in war. When I say no censorship is contemplated in the event of war I do not mean that there will not be censorship of military and naval information. I mean there will be no general censorship of the press and the radio, such as is exercised in some countries abroad."

Mellett denied also that his office was engaged in propaganda, as charged by Representative Gifford of Massachusetts, who referred to a motion picture short on the Rural Electrification Administration.

Col. Files Queries In Schine Action

BUFFALO, Feb. 26.—Columbia today filed extensive interrogatories in Federal District Court here for the Government to answer in connection with the Federal anti-trust suit against the Schine Circuit and Columbia, Universal and United Artists.

The interrogatories filed by Schwartz & Frohlich, New York counsel for Columbia, ask that answers be filed not later than March 13. In 46 pages Columbia requests various definitions of phrases used in the Goverment complaint and more detailed descriptions of alleged illegal distributor practices.

In one instance the Government is asked to state the title of each "first class picture" released by Columbia and exhibited in the Schine towns during the last 10 years and each of the factors considered by the Government in determining that such pictures are "first class." A definition of the words "collectively distributed" is requested.

Warners Transfer Managers in Phila.

PHILADELPHIA, Feb. 26.—Manager changes at the Warner theatres in this area follow: In York, Paul Harvey, former Capitol manager, moved over to the Strand with Harry Olmstead, Ritz manager, going to the Capitol and Al Meyers coming in from Philadelphia for the Ritz. Charles Crowley, manager of the State, Chester, replaces William Morgan as manager of the Grand, Vineland, N. J. Morgan is filling in as suburban district manager for Jack L. Mulhall, who was called for Army duty.

Form Albany Club

ALBANY, Feb. 26.—Exchange employes here have formed the Washington Club, so called because of its organization date, Feb. 22. Officers are: Daniel R. Houlihan, 20th Century-Fox booker, president, and Elmer Sichel, also a 20th Century-Fox booker, secretary. The board of directors comprises A. J. Marchetti, Universal booker; Georgette Bingham of Columbia and William J. Murray of Monogram.

RCA Held 44,757 RKO Shares Dec 31

(*Continued from page* 1)

$1,000,000 was attributable to defense orders.

Of the $128,491,611 gross income, $45,378,307, an increase of 11.5 per cent, was attributable to NBC; $67,377,641, up 20.2 per cent from manufacturing; $10,287,859, up 17.8 per cent, from communications; and $5,447,804, up 9.2 per cent, from all other sources. RCA does not break down the net earnings of its subsidiaries.

Total number of employes at the end of the year was 25,038, an increase of nine per cent.

The surplus account was increased $3,121,679 for a total of $23,653,014 at the end of 1940. Cash on hand amounted to $17,468,406; current assets, $54,885,967; current liabilities, $24,550,485; and working capital, $30,335,482.

A supplemental report by Maj. Gen. James G. Harbord, chairman of the board, and David Sarnoff, president, stressed the importance of the company's increasing role in defense activities.

Iowa Would Regulate Games, Set Sales Tax

DES MOINES, Feb. 26.—A bill introduced in the Iowa House of representatives requires theatres using games to award a prize at every drawing and would prohibit more than three theatres from combining in any one drawing.

Another bill would place a special state sales tax on all forms of amusements, starting with a tax of one cent on all tickets costing up to 49 cents, and going to five per cent on all admissions over $2. No exceptions would be granted and it would be in addition to the present sales tax now levied on amusements.

Theatre men are fighting the measures.

Aid Hospital Fund

WASHINGTON, Feb. 26.—Cooperating in the third annual campaign for the Children's Hospital blood and serum bank, the Warner Tivoli will give a pre-release benefit showing of "In Old Colorado" Saturday morning. Warners are donating the house and Paramount the film.

Ascap Decre Sets Stage fo Air Agreemen

(*Continued from page* 1)

decree," Arnold's statement declare "The only matter remaining f[illegible] a justment is one of price betw[illegible] cap and the broadcasters," he said.

The tone of Arnold's statement wa interpreted as indicating that the Department of Justice expected negotiations between Ascap and the broadcasters to begin as soon as the decre is approved by the court and prepare to intervene if they did not.

The statement pointed out that th only portion of the decree which affects theatres is the provision for optional blanket or per piece contract with Ascap, as reported in MOTION PICTURE DAILY on Feb. 21.

The decree as filed with the cour yesterday does not include the proposed interpretation of freedom of selection of contract terms by Ascap and the broadcasters, as advanced by the Ascap board at the time it accepted the decree. It was stated, however, that such an interpretation is implicit in the wording of the decree and it was agreed by Ascap and the Department that further amplification was unnecessary.

Settlement of the Government's criminal information against Ascap pending in Federal court at Milwaukee will be accomplished, probably next Wednesday, with the payment of fines by Ascap totaling $24,000.

Ascap Coast Meeting

HOLLYWOOD, Feb. 26.—Gene Buck, Ascap president, at a closed membership meeting at the Beverly Wilshire Hotel here tonight explained the provisions of the society's consent decree, after which the Coast members voted to ratify it.

New Formula Is Key to Deal, Miller Declares

Beginning of negotiations with Ascap depends upon how soon the music society can develop a licensing formula based upon a per-program arrangement, Neville Miller, president of the National Association of Broadcasters, said yesterday in commenting upon Thurman Arnold's statement.

Miller said: "How imminent a settlement between broadcasting and Ascap may be depends on how soon Ascap can readjust its whole setup to conform with the terms of the decree and how soon thereafter it will be in a position to work out a proposal for our consideration."

Para. Is Considering 'Wings' as Roadshow

(*Continued from page* 1)

"The Dictator," and otherwise will have runs in Los Angeles, Chicago and Dallas. The roadshow idea is understood to have been sponsored by Neil Agnew, Paramount general sales manager. Robert Gillham, advertising director, is reported to have made tentative arrangements for an enlarged exploitation staff should the film be roadshown.

If ever a picture was made to Make Money, it's That Hamilton Woman!

THE KIND OF PICTURE THAT HAS M

THE GOSSIP ABOUT THAT HAMILTON WOMAN IS SPREADING TO MILLIONS . . .

. . . thru national radio hookups; 4 full-color magazine covers; wire-service publicity stunts to crack headlines in cities large and small; a quarter of a million dollars worth of tie-ups with national advertisers . . . including the largest single tie-up ad ever effected for a motion picture, sponsored by Chesterfield and inserted in 2,000 newspapers with a combined circulation of 43,000,000!

THE PICTURE BUSINESS GREAT . .

. . a heaven-sent piece of casting which brings together the world's most publicized couple in a hit that's big and exciting not only in its romance but in its whole plan of profit for you from its first great story idea . . through every phase of its stirring production . . to the hard-hitting promotional campaign that will bring it to your marquee in a blaze of glory!

ALEXANDER KORDA presents

Vivien
LEIGH

Laurence
OLIVIER

That Hamilton Woman!

Directed by Alexander Korda

with ALAN MOWBRAY • SARA ALLGOOD • GLADYS COOPER • HENRY WILCOXON
Original screenplay by Walter Reisch and R. C. Sherriff

Released thru UNITED ARTISTS

These Stars attracted an unprecedented rush of newspaper correspondents to Hollywood to watch their news-making performances under the personal direction of Alexander Korda, working for the first time with the unlimited facilities of American production close at hand. Hundreds of full pages in black and white and in color have been these journalists' advance publicity tribute to the importance of **THAT HAMILTON WOMAN!**

‘Fantasia’ Is Philadelphia Best, $18,500

PHILADELPHIA, Feb. 26. — “Fantasia” got off nicely at the Aldine, in spite of mixed press notices, with $18,500 for its first week. “This Thing Called Love” at the Fox took $18,700, while “Gone With the Wind” in its fourth and final week at the Stanley drew $17,800.

Estimated takings for the week ending Feb. 19-21:

“Fantasia” (Disney)
ALDINE—(1,400) (86c-$1.14-$1.71) 7 days. Gross: $18,500. (Average, $9,000)

“Rebecca” (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, revival. Gross: $2,400. (Average, $2,600)

“Victory” (Para.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $11,200. (Average, $13,000)

“Honeymoon for Three” (W. B.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days with vaudeville including Johnny “Scat” Davis’ orchestra, Julie Sherwin, Johnny Downs, Sue Ryan and the Diamond Brothers. Gross: $19,800. (Average, $14,000)

“Ellery Queen, Master Detective” (Col.)
FAY’S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Eddie White, Elanor Sheridan, Annette Ross, Ashley & Clayton, the Del Rios, Morgan & Pope, and 16 Roxyettes. Gross: $7,500. (Average, $6,900)

“Philadelphia Story” (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $8,000. (Average, $3,000)

“High Sierra” (W. B.)
KEITH’S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,500. (Average, $4,500)

“This Thing Called Love” (Col.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $18,700. (Average, $13,000)

“Gone With the Wind” (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 4th week. Gross: $17,800. (Average, $14,000)

“Convoy” (RKO)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $6,800. (Average, $4,500)

‘Privates’ at $11,800 Top in Providence

PROVIDENCE, Feb. 26.—“Buck Privates” and “The Invisible Woman” at the RKO-Albee took $11,800. Elsewhere business was about average.

Estimated takings for the week ending 18-20:

“Buck Privates” (Univ.)
“The Invisible Woman” (Univ.)
RKO-ALBEE—(2,239) (28c-39c-50c) 8 days. Gross: $11,800. (7-day average, $6,000)

“So Ends Our Night” (U. A.)
“Maisie Was a Lady” (M-G-M)
LOEW’S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,500. (Average, $11,000)

“Western Union” (20th-Fox)
“Meet the Chump” (Univ)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. 2nd week. Gross: $6,100. (Average, $7,000)

“The Mad Doctor” (Para.)
“Barnyard Follies” (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,800 (Average, $6,000)

“Ride, Kelly, Ride” (20th-Fox)
FAY’S—(1,800) (33c-39c-44c) 7 days. Stage show with Dave Schooler’s Swinghearts featuring Jean Arnold and Six Sweetie Pies; James Evans & Co.; The Thompsons and Norma; and Howell and Battie. Gross: $5,100. (Average, $5,000)

“Gone With the Wind” (M-G-M)
CARLTON—(1,526) (28c-39c-55c) 7 days. 4th week. Gross: $2,400. (Average, $3,500)

“Thief of Bagdad” (U. A.) (3 days)
“Michael Shayne, Detective” (20th-Fox) (3 days)
“Go West” (M-G-M) (4 days)
“Four Mothers” (W. B.) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,400. (Average, $1,600)

Critics’ Quotes . . .

“STRAWBERRY BLONDE” (Warners)

There is an infectious gaiety and an ingenuous sort of mirth about the piece that makes it highly acceptable entertainment. . . . I found it a lot of fun.—*Garrett D. Byrnes, Providence Journal.*

A most enjoyable venture in movie going, quite outside the beaten path . . . something to see.—*Donald Kirkley, Baltimore Morning Sun.*

Beguiling entertainment with a nostalgic flavor, directed expertly and well acted in all its leading roles.—*Gilbert Kanour, Baltimore Evening Sun.*

The best picture that Hollywood has made in ages about the good old days. It is full of laughs, of heart interest, of nostalgic allusions . . . will be one of the biggest box-office hits of the year.—*Harrison Carroll, Los Angeles Herald.*

The events will prove amusing for a majority of audiences, and there is an abundance of romance linked with the fun.—*Edwin Schallert, Los Angeles Times.*

“MR. AND MRS. SMITH” (RKO)

A chucklesome comedy that fails to mount into a coruscation wave of laughter.—*New York Times.*

The action of the picture is fast. The comedy, if a bit aged and corny, still is funny enough to evoke hearty laughs.—*Lee Mortimer, New York Daily Mirror.*

Skillfully made . . . a fluffy piece, made for chuckles and getting them.—*New York Sun.*

Pretty routine stuff, and were it not for the fresh and imaginative touches Hitchcock has brought to it, its bubbling lines and expert performances, it would be just another routine entertainment.—*William Boehnel, New York World Telegram.*

Run-of-the-mill Hollywood farce, suggests that Hitchcock would do well to stick to melodrama.—*Time.*

A sly, witty photoplay worthy of comparison with Ernst Lubitsch’s best efforts in the same line.—*Donald Kirkley, Baltimore Morning Sun.*

As hilarious a marital skylark as you are apt to encounter in weeks of theatre going . . . a swell show.—*Gilbert Kanour, Baltimore Evening Sun.*

“TOBACCO ROAD” (20th Century-Fox)

Occasionally John Ford brings some inventive touches to the script but not as often as one would expect from a director of his imagination and inventiveness. The camera work is superb. But the whole thing is a bitter disappointment.—*William Boehnel, New York World Telegram.*

I think it’s fine . . . worth making, and is certainly worth experiencing. The direction, writing and acting are fused into a compatible whole. It’s an intact, consistent job, delivered up out of steady craftsmanship.—*Cecelia Ager, PM (New York).*

Just comes under the wire as an amusing but pointless film . . . a slightly soiled family film, a poor-white family film—and not a great deal more.—*Bosley Crowther, New York Times.*

A masterpiece . . . a memorable motion picture . . . a hundred times better than its theatrical prototype—a challenging reminder of the screen’s vast potentialities as well as a fascinating entertainment.—*Howard Barnes, New York Herald Tribune.*

Isn’t another “Grapes of Wrath” but Director John Ford has directed it with almost as much care. I doubt, however, if it will be nominated for 1942 Academy Awards.—*Virginia Wright, Los Angeles News.*

Even more sensational than the play . . . truly, a terrific picture.—*Jimmy Starr, Los Angeles Herald and Express.*

“THIS THING CALLED LOVE” (Columbia)

Indubitably funny in many respects.—*Robert E. Murphy, Minneapolis Star Journal.*

Some of the material is repetitious, some sequences have been permitted to run too long, but on the whole, Alexander Hall has rung enough changes on a single theme to make “This Thing Called Love” nifty, naughty entertainment.—*Mildred Martin, Philadelphia Enquirer.*

Not only wacky but witty.—*Laura Lee, Philadelphia Bulletin.*

“THE HARD BOILED CANARY” (Paramount)

One of the most striking screen instances of taking classic and semi-classic tunes and making them essential to theme and story . . . it is one of the most daring films of its type ever produced and one of the most interesting.—*Edwin Schallert, Los Angeles Times.*

Hitting a brilliant new high in original filmusicals, Producer-Director Andrew L. Stone has accomplished many a rare and fascinating scene. . . . I urge you to see “The Hard Boiled Canary.”—*Jimmy Starr, Los Angeles Herald and Express.*

The film story begins ingeniously. . . . The promise of entertainment it holds forth, however, is never fulfilled.—*James Francis Crow, Los Angeles Citizen News.*

Oakland Union Elects

OAKLAND, Feb. 26.—Annual election of Motion Picture Operators’ Union, Local 169, resulted in election of Irving Cohen as president; Bert Taylor, vice-president; George Dyer, financial secretary, and J. B. Perry, recording secretary.

Two Firms Chartered

ALBANY, Feb. 26.—Two new firms chartered here are B. P. Productions, Inc., New York, by T. Powers, M. Lebon and A. Blee, and Stilson Realty Corp., New York, by Dominick Suozzo, Frank Moscato and Minni Suozzo.

‘Mr. Smith’ Is Frisco Lead With $21,000

SAN FRANCISCO, FEB. 26.—“Mr. and Mrs. Smith,” with the Salici Puppets on the stage, hit $21,000 at the Golden Gate. “Gone With the Wind” drew $19,500 at popular price at the Warfield. The weather was unfavorable.

Estimated takings for the week ending Feb. 18-21:

“Mr. and Mrs. Smith” (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Salici Puppets. Gross: $21,000. (Average, $15,000)

“Western Union” (20th-Fox)
“You’re the One” (Para.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $16,500. (Average, $16,000)

“High Sierra” (W. B.)
“Ride, Kelly, Ride” (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)

“Trail of the Vigilantes” (Univ.)
“Invisible Woman” (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,800. (Average, $8,000)

“Son of Monte Cristo” (U. A.)
UNITED ARTISTS — (1,200) (15c-35c-40c-55c), 7 days. Gross: $7,700. (Average, $8.000)

“Come Live With Me” (M-G-M)
“The Mad Doctor” (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $11,500)

“Gone With the Wind” (M-G-M)
WARFIELD—(2,680) (25c-40c-55c) 7 days. Gross: $19,500. (Average, $12,000)

“They Met on Skis” (C. L. Import)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $800. (Average, $1,000)

‘Western Union’ At $8,500, Pittsburgh

PITTSBURGH, Feb. 26.—Despite rain, snow and cold weather, “Western Union” pulled $8,500 at the Senator, “Kitty Foyle” drew $17,500 at Loew’s Penn.

Estimated takings for the week ending Feb. 20:

“Back Street” (Univ.)
FULTON—(1,700) (30c-44c) 7 days. Gross: $8,200. (Average, $5,000)

“Kitty Foyle” (RKO)
LOEW’S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $17,500. (Average, $13,000)

“Gone With the Wind” (M-G-M)
RITZ—(800) (40c-55c) 7 days, 5th week. Gross: $3,500. (Average, $3,000)

“Western Union” (20th-Fox)
SENATOR—(1,700) (28c-39c-55c) 7 days. Gross: $8,500. (Average, $5,000)

“Mr. and Mrs. Smith” (RKO)
STANLEY—(3,600) (28c-39c-55c) 7 days. Gross: $10,000. (Average, $13,000)

“The Philadelphia Story” (M-G-M)
WARNER—(2,000) (28c-39c-55c) 7 days, 3rd week. Gross: $8,000. (Average, $5,000)

New Haven Gives ‘Privates’ $6,000

NEW HAVEN, Feb. 26.—“Buck Privates” and “Girl in the News” at the Paramount took $6,000. “Honeymoon for Three” and “Hudson’s Bay” at the Roger Sherman drew $5,500.

Estimated takings for the week ending Feb. 20:

“Philadelphia Story” (M-G-M)
“Saint in Palm Springs” (RKO)
COLLEGE—(1,499) (39c-50c) 7 days, 3rd week. Gross: $2,700. (Average, $2,700)

“So Ends Our Night” (U. A.)
“Tall, Dark and Handsome” (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,000. (Average, $8,000)

“Buck Privates” (Univ.)
“Girl in the News” (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $6,000. (Average, $4,000)

“Honeymoon for Three” (W. B.)
“Hudson’s Bay” (20th-Fox)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $5,500. (Average, $5,000)

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Jan. 31		Come Live With Me (C) *James Stewart* *Hedy Lamarr*			Arkansas Judge (C) 010 *The Weavers* *Roy Rogers*	Mr. and Mrs. Smith (C) 117 *Carole Lombard* *R. Montgomery*	Girl in the News (D) 127 *Valerie Hobson* *B. K. Barnes*		Buck Privates (C) *Abbott-Costello* *Andrew Sisters*	Father's Son (D) 520 *John Litel* *F. Inescort*
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*		You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) 020 *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	Trial of Mary Dugan (D) 125 *Robert Young*	The Kid's Last Ride (O) Range Busters	The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	The Phantom Cowboy (O) 075 *Don "Red" Barry*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) 126		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) 065 *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*	Cheers for Miss Bishop (D) *Martha Scott* *William Gargan*	Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	Monster and the Girl (D) *Ellen Drew* *Rod Cameron*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*	Citizen Kane (D) 118 *Orson Welles*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) 4020 *Allan Jones*	Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) *C. Grapewin* *Gene Tierney*	The Great Dictator (C) *Chas. Chaplin* *Goddard-Oakie*	Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14		The Penalty (D) *L. Barrymore* *Edward Arnold*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*	In Old Colorado (O) 4052 *Boyd-Hayden*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Double Date (D) *Peggy Moran* *Rand Brooks*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*	Ziegfeld Girl (M) *Stewart-Lamarr* *Turner-Garland*	Sign of the Wolf (D) *Grace Bradley* *Louise Beavers*	The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) *Walter Huston* *Jane Russell*	Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	At the Villa Rosa (D) *Judy Kelly* *Kenneth Kent*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*			Roundup (O) *Richard Dix* *Pat. Morison*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Lady from Cheyenne (O) Mutiny in the Arctic (D)	
Apr. 11				Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) 2-Gun Sheriff (O)	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) *Alice Faye* *Don Ameche*		Flame of New Orleans (D) *M. Dietrich* *Bruce Cabot*	
Apr. 18	Penny Serenade (C) *Cary Grant* *Irene Dunne*			Border Vigilantes (O) *William Boyd* *Russell Hayden*	Raiders of the Alamo (O) *3 Mesquiteers*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*			

PARAMOUNT SHORTS . . .
jammed with Showmanship! crammed with Entertainment!

February 21
Gabby
Color Cartoon
'TWO FOR THE ZOO'
(Technicolor)

February 21
Magnacolor
'POPULAR SCIENCE No. 4'

February 28
Paragraphic
'RED, WHITE AND BLUE HAWAII'
(Magnacolor)

February 28
Grantland Rice
Sportlight
'FISHING FEVER'

100% BOX OFFICE TESTED!

'Story' Strong in Capital at $16,500

WASHINGTON, Feb. 26.—In its second week, "The Philadelphia Story" grossed $16,500 at Loew's Palace. The weather was ideal.

Estimated takings for the week ending Feb. 20-21:

"Arizona" (Col.)

WARNERS' EARLE—(2,200) (28c-39c-66c-77c) 7 days. On stage: Calgary [illegible]s., the Pitchmen, Loper & Barrett, Roxyettes. Gross: $15,300. (Average, $15,500)

"Son of Monte Cristo" (U. A.)

LOEW'S CAPITOL—(3,434) (28c-39c-44c-66c-77c) 7 days. On stage: Benny Meroff & Orchestra, Howard & Taley, Louise Shannon, Al Devito & Co., Ken and Roy Paige, Joe Blondell, Four Sailorettes, Al Spiro, Billy Morosco, Eight Daughters of Satan. Gross: $14,500. (Average, $15,000)

"The Philadelphia Story" (M-G-M)

LOEW'S PALACE—(2,300 (39c-55c) 7 days, 2nd week. Gross: $16,500. (Average, $9,000)

"Back Street" (Univ.)

RKO-KEITH'S—(1,834) (39c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $7,500)

"Virginia" (Para.)

WARNERS' METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $7,600. (Average, $4,500)

"Gone With the Wind" (M.G.M)

LOEW'S COLUMBIA—(1,250) (40c-55c) 7 days, 5th week. Gross: $4,500. (Average, $4,500)

'Smith' in St. Louis Winner at $5,400

ST. LOUIS, Feb. 26.—"Mr. and Mrs. Smith" and "Western Union" drew $5,400 at the Missouri in a week marked by sub-normal grosses. Freezing temperatures prevailed.

Estimated takings for the week ending Feb. 20:

"Back Street" (Univ.)
"Six Lessons from Madame La Zonga" (Univ.)

AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,500. (Average, $11,500)

"Tall, Dark and Handsome" (20th-Fox)
"Victory" (Para.)

FOX—(5,038) (30c-40c-50c) 7 days. Gross: $8.000. (Average, $11,000)

"The Philadelphia Story" (M-G-M)
"Road Show" (U. A.)

LOEW'S STATE — (3,162) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $13,000. (Average, $13,000)

"Mr. and Mrs. Smith" (RKO)
"Western Union" (20th-Fox)

MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,400. (Average, $4,000)

"Melody Ranch" (Rep.)
"Where Did You Get That Girl" (Univ.)

ST. LOUIS—(4,000) (25c-30c-35c) 7 days. Gross: $1,900. (Average, $2,600)

'Virginia' Garners $12,500 in Toronto

TORONTO, Feb. 26.—"Virginia," plus the personal appearance of Stirling Hayden for the opening, accounted for $12,500 at the Uptown, while "Santa Fe Trail" registered $9,800 at the Imperial.

Estimated takings for the week ending Feb. 22:

"Santa Fe Trail" (W. B.)

IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $9,800. (Average, $9,000)

"Gone With the Wind" (M-G-M)

LOEW'S—(2,074) (25c-40c-50c-75c) 6 days, 4th week. Gross: $8,000. (Average, $9,000)

"High Sierra" (W. B.)
"Play Girl" (RKO)

SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $8,600. (Average, $7,500)

"The Thief of Bagdad" (U. A.)
"Second Chorus" (Para.)

TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $4,400. (Average, $3,900)

"Virginia" (Para.)

UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $12,500. (Average, $9,000)

St. John Grosses Are at High Levels

ST. JOHN, N. B., Feb. 26.—Despite keen opposition from epidemics, chance games, outdoor and indoor ice skating, and the like, all local theatres are doing good business. The city proper had been without a large rink until the recent conversion of the site of the former Queen Square Theatre, into an open air skating space.

Sailors of the merchant marine, practically all hailing from the British Isles, are taking strangely to the picture shows. Business is the heaviest in years.

'Gone with Wind' at $20,000 in Detroit

DETROIT, Feb. 26.—"Gone With the Wind" took $20,000 at the United Artists. "Fantasia," which opened at the Wilson, grossed $7,500 for the first three days. The Fox grossed $20,000 with "Western Union" and "Blondie Goes Latin."

Estimated takings for the week ending Feb. 20:

"Back Street" (Univ.)
"Ride Kelly Ride" (20th-Fox)

ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,500. (Average $5,500)

"Arizona" (Col.)
"Second Chorus" (Para.)

FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)

"Western Union" (20th-Fox)
"Blondie Goes Latin" (Col.)

FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $20,000. (Average, $15,000)

"High Sierra" (W. B.)
"No, No, Nanette" (RKO)

MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,000. (Average, $12,000)

"Kitty Foyle" (RKO)
"Phantom of Chinatown" (Mono.)

PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $7.000. (Average, $7,000)

"Gone With the Wind" (M-G-M)

UNITED ARTISTS—(2,000) (44c-55c) 7 days. Gross: $20,000. (Average, $10,000)

"Fantasia" (Disney)

WILSON—(1,400) 3 days. (Opening night, $5 all seats. Daily 75c-$1.10-$1.65). Gross: $7,500.

$11,000 for 'Story' Indianapolis High

INDIANAPOLIS, Feb. 26.—"The Philadelphia Story" and "Gallant Sons" drew $11,000 at Loew's and were held. At the Indiana "Western Union" and "Golden Hoofs" drew $7,400. The weather was extremely cold.

Estimated takings for the week ending Feb. 21:

"You're the One" (Para.)
"Little Men" (RKO)

CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $4,800. (Average, $6,000)

"Western Union" (20th-Fox)
"Golden Hoofs" (20th-Fox)

INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,400. (Average, $6,000)

"The Philadelphia Story" (M-G-M)
"Gallant Sons" (M-G-M)

LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $11.000. (Average, $7,000)

"Tall, Dark and Handsome" (20th-Fox)

LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Will Rock's magic, with Sid Tomack, Reis Brothers, Charlie Althoff. Gross: $7,000. (Average, $8,000)

Huston, Mitchell Star

HOLLYWOOD, Feb. 26.—Walter Huston and Thomas Mitchell have been assigned to co-star in "A Certain Mr. Scratch" at RKO. The film formerly was titled "The Devil and Daniel Webster."

Joins P.R.C. Branch

CLEVELAND, Feb. 26.—John P. Hanna, for nine years with M-G-M, has joined the local exchange of Producers Releasing Corp. as salesman in northern Ohio.

'Brooklyn Biarritz' At Royale Tonight

"Brooklyn Biarritz," a play by Beatrice Alliot and Howard Newman, opens tonight at the Royale. The cast includes Ann Loring, Clara Langsner, Bertram Thorn, Owen Lamont and Herbert Ratner. Marie Louise Elkins and Clarence Taylor produced.

'Story' at $16,500 Kansas City's Best

KANSAS CITY, Feb. 26.—"The Philadelphia Story" and "Maisie Was a Lady" on a dual at the Midland, scored a fine $16,500. "Mr. and Mrs. Smith" and "The Case of the Black Parrot," at the Orpheum, tallied $9,500.

Estimated takings for the week ending Feb. 18-20:

"Back Street" (Univ.)

ESQUIRE—(800) (28c-44c) 6 days, 2nd week. Gross: $1,500. (Average, 6 days, $1,900)

"Philadelphia Story" (M-G-M)
"Maisie Was a Lady" (M-G-M)

MIDLAND—(4,000) (28c-44c) 7 days. Gross: $16,500. (Average, $9,500)

"Flight From Destiny" (W. B.)

NEWMAN—(1,900) (28c-44c) 7 days. Gross: $5,500. (Average, $7,000)

"Mr. and Mrs. Smith" (RKO)
"The Case of the Black Parrot" (W. B.)

ORPHEUM—(1,900) (28c-44c) 7 days. Gross: $9,500. (Average, $5,500)

"Let's Make Music" (RKO)

TOWER—(2,200) (30c) 7 days. Stage: "Broadway Rhythm" with Robert & Maxine Clayton, Three Olympia Boys, Brookins & Van. Gross: $5,800. (Average, $6,000)

"Back Street" (Univ.)

UPTOWN—(2,000) (28c-44c) 6 days, 2nd week. Gross: $2,000. (Average, $3,000)

'Show' and Calloway $16,200 for Buffalo

BUFFALO, Feb. 26.—"Road Show" and Cab Calloway and his orchestra on the stage at the Buffalo drew $16,200. "Back Street" and "Meet the Chump" at the Lafayette took $9,400.

Estimated takings for the week ending Feb. 22:

"Road Show" (U. A.)

BUFFALO—(3,489) (30c-35c-55c) 7 days. Cab Calloway and his orchestra on stage, with the Mills Brothers, Avis Andrews, Chu Berry and Cozy Cole, the Cab Jivers, Anise & Aland, Cook & Brown, and the Six Cotton Club Boys. Gross: $16,200. (Average, $12,000)

"The Son of Monte Cristo" (U. A.)
"Blackout" (U. A.)

GREAT LAKES—(3,000) (40c-55c) 7 days. Gross: $9,800. (Average, $7,500)

"So Ends Our Night" (U. A.)
"Maisie Was a Lady" (M-G-M)

HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $5,600. (Average, $6,800)

"South of Suez" (W. B.)
"Remedy for Riches" (RKO)

TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $4,900. (Average, $7,500)

"Back Street" (Univ.)
"Meet the Chump" (Univ.)

LAFAYETTE—(3,000) (30c-40c) 7 days. Gross: $9,400. (Average, $6,300)

Bill Regulates Aisles

TOPEKA, Kan., Feb. 26.—A bill introduced in the Kansas legislature by Senator Dale, affecting smaller theatres, allows a single aisle, which must be 44 inches wide; although there must be no more than six seats intervening between any seat and an aisle. This affords seven seats on each side of a center aisle.

Minneapolis Gives 'Chad Hanna' $9,000

MINNEAPOLIS, Feb. 26. — Coldest weather of the Winter held down grosses here. "Chad Hanna" at the Orpheum, with Bert Wheeler heading a stage show, took $9,000.

Estimated takings for the week ending Feb. 20:

"Chad Hanna" (20th-Fox)

ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. On stage, Earl Carroll's Vanities with Bert Wheeler, Bob Williams. Gross: $9.000. (Average, $5,500)

"This Thing Called Love" (Col.)

STATE—(2,300) (28c-39c-44c) 7 days. Gross: $7,500. (Average, $6,000)

"Drums of the Desert" (Mono.)

MINNESOTA—(4,000) (28c-39c) 7 days. Stage show including Merry Macs, Franklin D'Amore. Gross: $5,500. (Average, $7,500)

"Youth Will Be Served" (20th-Fox) 4 days
"San Francisco Docks" (Univ.) 4 days
"Lucky Devils" (Univ.) 4 days
"Where Did You Get That Girl" (Univ.) 4 days

ASTER—(900) (15c-28c) 8 days. Gross: $2.100. (Average, $1,800)

"Trail of the Vigilantes" (Univ.)

GOPHER—(998) (28c) 8 days. Gross: $2,500. (Average, $2,500)

"Long Voyage Home" (U. A.)

WORLD—(350) (28c-39c-44c-55c) 7 days. 3rd week. Gross: $1.200. (Average, $1,600)

"Santa Fe Trail" (W. B.)

CENTURY—(1,600) (28-44c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)

'Mr. Smith' Tallies $7,800, Milwaukee

MILWAUKEE, Feb. 26.—Snow and sub-zero temperatures hurt the box-office. "Mr. and Mrs. Smith" and "The Saint in Palm Springs" drew $7,800 at the Warner. "Come Live With Me" and the 'Wild Man of Borneo" grossed $7,500 at Fox's Wisconsin.

Estimated takings for the week ending Feb. 18-20:

"The Hard-Boiled Canary" (Para.)
"Night Train" (20th-Fox)

PALACE—(2,400) (30c-40c-55c) 5 days. Gross: $2,700. (Average, $4,000)

"Six Lessons From Madame LaZonga" (Univ.)

RIVERSIDE—(2,700) (28c-44c) 7 days. Stage: "Screwballs of 1941." Gross: $7,000. (Average, $6,500)

"Western Union" (20th-Fox)
"You're the One" (Para.)

STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,500. (Average, $1,500)

"Mr. and Mrs. Smith" (RKO)
"The Saint in Palm Springs" (RKO)

WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $7,800. (Average, $4,500)

"Come Live With Me" (M-G-M)
"Wild Man of Borneo" (M-G-M)

WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $7,500. (Average, $6,500)

'Philadelphia' Gets $19,000 in Baltimore

BALTIMORE, Feb. 26.—The biggest business in town went to "The Philadelphia Story" with $19,000 at the Century. "Western Union" took $10,000 at the New.

Estimated takings for the week ending Feb. 20:

"The Philadelphia Story" (M-G-M)

CENTURY—(3,000) (28c-44c) 7 days. Gross: $19,000. (Average, $10,000)

"Back Street" (Univ.)

KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $10,500. (Average, $9.000)

"Western Union" (20th-Fox)

NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $10,000. (Average, $7,000)

"Flight from Destiny" (W. B.)

STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $12,000)

"Play Girl" (RKO)

HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. On stage: "Truth and Consequence." Gross: $15,000. (Average, $14,000)

King-Trendle Asks Approval for New FM Station in Mich.

WASHINGTON, Feb. 26.—Applications for construction permits for new broadcasting facilities have been filed with the Federal Communications Commission by the Portsmouth Radio Corp. for a 1,500-kilocycle, 250-watt station at Portsmouth, Va., and Roy St. Lewis for a 1,200-kilocycle, 250-watt station at Norfolk, Va. An application also was filed for a construction permit for a new FM station to operate on 45,500 kilocycles with a coverage of 4,340 square miles by the King-Trendle Broadcasting Corp., Grand Rapids, Mich.

WAPI Asks New Frequency

The commission also received applications from Stations WAPI, Birmingham, Ala., for change of frequency from 1,140 to 1,070 kilocycles, extension of time from sharing to unlimited and increase of power from 5,000 to 10,000 watts; WSAM, Saginaw, Mich., for change of frequency from 1,200 to 1,400 kilocycles, extension of time from specified hours to unlimited and increase of night power from 100 to 250 watts, and KHSL, Chico, Cal., for increase of night power from 500 to 1,000 watts.

Other Authorizations

Authorizations also have been issued to Stations WNAD, Norman, Okla., for change of frequency from 1,010, to 640 kilocycles; WTAG, Worcester, Mass., for increase of night power from 1,000 to 5,000 watts; WABI, Bangor, Me., for change of frequency from 1,200 to 910 kilocycles and increase of power from 250 to 5,000 watts; WCFL, Chicago, Ill., for increase of power from 5,000 to 10,000 watts, and WINS, New York, for change of frequency from 1,180 to 1,000 kilocycles, extension of time from limited to unlimited and increase of power from 1,000 to 50,000 watts.

The commission announced that it has ordered hearings on the applications of the Western Gateway Broadcasting Corp., for a new 1,210-kilocycle, 250-watt station at Schenectady, N. Y., and the Parkersburg Sentinel Co. for a 1,310-kilocycle, 250-watt station at Parkersburg, W. Va.

Dec. Radio Exports Reach Year's Peak

WASHINGTON, Feb. 26.—The value of December exports of radio and receiving sets reached a peak for 1940 of $1,220,178 for 64,508 sets, the Department of Commerce has reported.

Mexico, the Union of South Africa, Brazil and Cuba accounted for 58 per cent of the units purchased.

Trial on Radio Rights

Trial of the suit of Chilean Nitrate Educational Bureau, Inc., against Grombach Productions and O'Dea, Sheldon and Canaday, Inc., and the Trans-American Broadcasting and Television Corp., who were brought in as defendants by Grombach, started yesterday before N. Y. Supreme Court Justice Benjamin Schreiber and a jury. The dispute concerns the right to the use of the radio program, "Uncle Natchel."

Off the Antenna

WINS is no longer for sale, it was disclosed by the Hearst Radio officials yesterday, following the announcement by the FCC that the station had been granted permission to increase its power to 50,000 watts after finding a suitable transmitter site.

The increase, which will give the station the same power as now used by WABC, WJZ and WOR, instead of its present 1,000 watts was made possible because of the shift in frequencies due to the North American Regional Agreement and the shifting of WCFL, Chicago, to another frequency.

Other local stations which will be eligible for 50,000 watts under the new setup are WOV, WQXR and WHN, the latter having already applied for permission to go up to the top power.

• • •

Purely Personal: *Fred Gropper, former publicity director for Compton Advertising, is now Pvt. Gropper, Co. F, 47th Inf., 9th Div., Fort Bragg, N. C. . . . Simone Simon will be guest on the premiere broadcast of "What's Your Idea" over NBC-Red Sunday . . . Babe Ruth will be guest on "Your Happy Birthday" over NBC-Blue tomorrow at 9:35 P.M. . . . Lenore Ulric is now heard in "Friend in Deed" over CBS.*

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Called a "Public Primer," a 24-page booklet has been issued by the FCC describing all phases of broadcasting and the work of the commission. It is excellently written and describes many technical phases of radio in simple, non-technical language.

• • •

For the first time, a sponsored American Program will be heard on a regular basis in the Philippine Islands when the Camel cigarette show with Xavier Cugat and Yvette goes on KZRH, Manila, and KZRC, Cebu, on April 4. The program will be aired via a transcription of the Feb. 20 broadcast here and the same procedure will be followed for future programs. In addition, the two stations' short wave affiliates will carry the program to the entire South Pacific area, China, Borneo, Singapore and Indo-China. NBC reports that there are 100,000 licensed sets in the Philippines and each set is said to have an average of 12.8 listeners.

Camel cigarettes has increased the NBC-Red hookup to 83 stations for the show, it is being short waved to Latin America with the commercials in Spanish, and the Honolulu station is taking the program by transcription.

• • •

Program News: *Iglehart Bros. will sponsor "The Johnston Family" over 27 Mutual stations on Mondays, Wednesdays and Fridays . . . The Andrew Jergens Co. has renewed "How Did You Meet?" over NBC-Red for an additional 13 weeks, effective April 2 . . . W2XOR, FM affiliate of WOR, tomorrow will celebrate its first anniversary of the start of program service in the new medium.*

• • •

Walt Disney will speak on "American Culture" over NBC-Blue Saturday at 3:59 P.M. when he will be intermission commentator during the broadcast of the Metropolitan Opera. He will speak from Hollywood.

Canadian Programs Lack Vitality of Product in U.S.

By PAT DONOVAN

MONTREAL, Feb. 26.—For the most part radio programs in Canada lack the vitality of the American product, as radio here must cater to a French and English speaking population.

French Canada has made the only distinctive Canadian contribution to the art of broadcasting. English-Canadian broadcasts follow closely the American pattern, but French-Canadians have developed a technique of their own.

The most popular form of radio broadcasting in Quebec is the "sketch." These go on interminably, similar to the daytime serials on the American radio, but they ordinarily lack plot or story.

One of them which ran five nights a week for four years was "Le Cure du Village" ("The Village Curate"), which had a typical village as its locale and the cramped gossip of a small town as its story. The "cure" has now departed but he has been followed by another "sketch" which promises to continue as long or longer.

In addition to creating a distinctly Canadian type of radio entertainment, French Canada has probably the only outstanding radio "star."

Worshipped by thousands in Quebec and by Franco-Americans in New England, is "Fridolin," the French-Canadian radio clown. Stores throughout Montreal sell his signed photos and little wooden statues of "Fridolin" in costume. He is the best known French-Canadian, central figure of an annual revue which is sold out weeks in advance.

Fridolin was sponsored by a brewery. New Government restrictions, however, sought to curtail the advertisement of brewed beverages by radio, and consequently the brewery people cut their advertising and their radio star.

The comic is currently playing at one of Montreal's oldest playhouses, Monument National, in his annual revue, and French Canadians are flocking to the show.

AGMA Wins Point In Fight With AFM

American Guild of Musical Artists won the first preliminary skirmish yesterday in its jurisdictional dispute with the American Federation of Musicians when James C. Petrillo, A.F.M. president, lifted the ban against the appearance of Albert Spalding, violinist, with the Andre Kostelanetz orchestra on the Coca-Cola program over CBS Sunday afternoon.

Petrillo had previously notified all locals of his union to refuse to play with any instrumentalists who had not joined the A.F.M. by next Saturday. However, Petrillo, after receiving notice that CBS was under contract to supply the services of Spalding for the program, agreed to permit the violinist to continue his performances pending a study by Petrillo of the contractual situation.

AGMA officials on Tuesday had pointed out that the A.F.M. contract with the networks expressly excluded concert instrumentalists but the A.F.M. had contended that such contracts had been signed by the local unions and could be superseded by an A.F.M. order.

No further disclosure of AGMA plans after Saturday was made yesterday. It had been indicated previously that AGMA was counting on pressure exerted by radio sponsors, leading symphonic orchestra societies and others to obtain revocation of the ban, and it appeared yesterday that it had been successful in at least one instance.

'Forced Off Radio,' Commentator Claims

Cosimo Marcarelli, Italian language commentator, filed suit in Brooklyn Supreme Court yesterday seeking $231,500 damages for alleged interference with his program series on WHOM. Defendants are Santo Carlo Ceribelli, beverage manufacturer; Elisio Ballerini, attache of the Italian Embassy, and Ferdinand Petrinelia, Ceribelli's agent.

Marcarelli, who broadcast under the name Armando Rossi, claims that he was forced off the air because he "failed to color his broadcasts with Fascistic doctrines." A spokesman for WHOM declared that the station had no connection with the matter. No propaganda is permitted on foreign language programs, it was added, and the station had no record of Marcarelli's violation of this rule.

Thad Brown Dies; Former FCC Member

CLEVELAND, Feb. 26.—Col. Thad H. Brown, 54, former member of the FCC, died here yesterday. Brown was president of WJAY, Cleveland, before being appointed general counsel to the Federal Power Commission.

He was named to the old Federal Radio Commission in 1932 and, subsequently, to the FCC when that body took over regulation of radio. When his six-year term expired last June, Brown was renamed by President Roosevelt but the Senate Interstate Commerce Committee withheld approval and continued hearings over a long period. In October, while the approval and hearings were still pending, Brown asked that his name be withdrawn.

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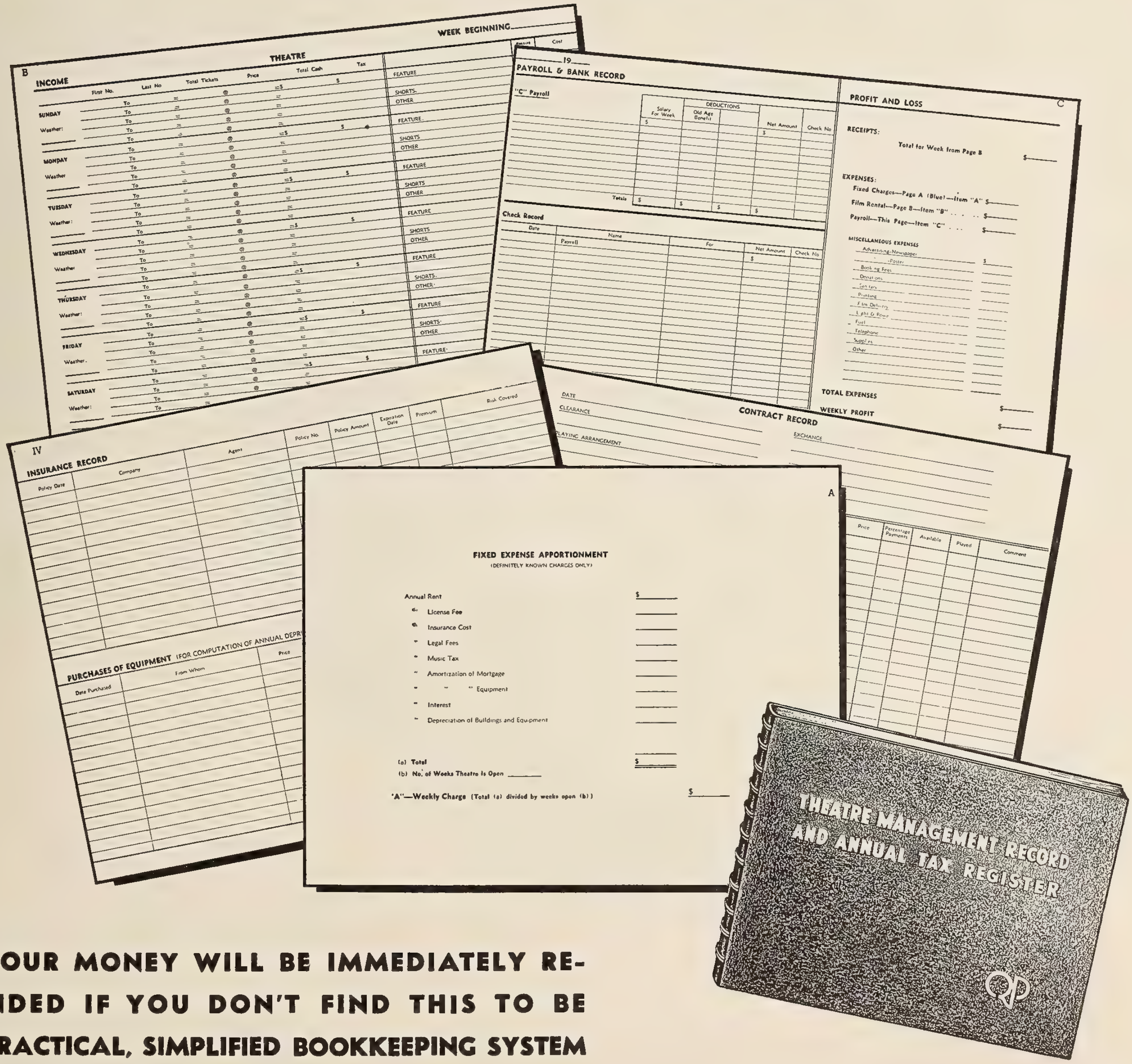
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Take a walk past your theatre. Regardless of the picture you're playing . . . does it look inviting as a place to spend an evening?

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OL. 49. NO. 41 NEW YORK, U. S. A., FRIDAY, FEBRUARY 28, 1941 TEN CENTS

Radio Objects To Portions of Ascap Decree

Opposes Formula for Dividing Royalties

While officials of the National Association of Broadcasters have little hope of blocking approval of the Ascap consent decree negotiated with the Government, it appears certain that the N.A.B. will enter formal objection when the decree comes up for approval in Federal court here. This has been set tentatively for next Monday by Judge Henry W. Goddard.

The N.A.B. is expected to object to the provision which permits Ascap members to make deals directly with a user of music but gives control of the distribution of royalties so received to Ascap in accordance with its old formula of distribution.

Additionally, the N.A.B. is expected to object to the method of electing Ascap directors which gives members votes in accordance with their ratings.

Broadcast Music, Inc., yesterday

(*Continued on page* 12)

Wanger to Preside At Quigley Awards

HOLLYWOOD, Feb. 27.—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, has accepted the post of toastmaster at the presentation of the 1940 Quigley Grand Awards here on March 18.

Wanger spoke at last year's gathering and has been a regular attendant at other award ceremonies. Presentation of the annual plaques will take place during a luncheon in the Flor-

(*Continued on page* 4)

Crescent Dismissal Motion Is Denied

NASHVILLE, Feb. 27. — Federal Judge Elmer Davies today denied the motion of Columbia, Universal and United Artists for dismissal of the Government's amended anti-trust suit complaint against them and the Crescent Amusement Co. of this city.

The motion was argued by Louis D. Frohlich of New York, counsel for Columbia, on Monday in U. S. Dis-

(*Continued on page* **10**)

Academy Winners

Hollywood, Feb. 27.—Winners of the awards announced tonight at the annual dinner of the Academy of Motion Picture Arts and Sciences follow:

Most outstanding picture of the year—"Rebecca," Selznick-International-United Artists.

Best performance by an actor—James Stewart in "The Philadelphia Story," M-G-M.

Best performance by an actress—Ginger Rogers, "Kitty Foyle," RKO.

Best performance by an actor in a supporting role—Walter Brennan in "The Westerner," Samuel Goldwyn-United Artists.

Best performance by an actress in a supporting role—Jane Darwell in "The Grapes of Wrath," 20th Century-Fox.

Best achievement in directing—John Ford for "The Grapes of Wrath," 20th Century-Fox.

Best original motion picture story—Benjamin Glazer and John S. Toldy (pen name) for "Arise, My Love," Paramount.

Best written screenplay—Donald Ogden Stewart for "The Philadelphia Story," M-G-M.

Best original screenplay—Preston Sturges for "The Great McGinty," Paramount.

Best achievement in art direction (black-and-white films)—Cedric Gibbons and Paul Groesse for "Pride and Prejudice," M-G-M.

Best achievement in art direction (color films)—Vincent Korda for "The Thief of Bagdad," Alexander Korda-United Artists.

Best achievement in cinematography (black-and-white)—George Barnes for "Rebecca," Selznick-International-United Artists.

Best achievement in cinematography (color)—George Perinal for "The Thief of Bagdad," Alexander Korda-United Artists.

Best achievement in sound recording—Douglas Shearer for "Strike Up the Band," M-G-M.

Best achievement in film editing—Anne Bauchens for "North West Mounted Police," Paramount.

Short subjects—Cartoons, "Milky Way," Rudolph Ising-M-G-M; one-reel, "Quicker'n a Wink," Pete Smith-M-G-M; two-reel, "Teddy the Rough Rider," Gordon Hollingshead-Warner Bros.

Special effects—"The Thief of Bagdad;" Lawrence Butler, photographic, and Jack Whitney, sound.

Wanger Tells How Industry May Aid National Defense

By SAM SHAIN

There are four ways in which the motion picture industry could aid national defense, according to Walter Wanger.

These are:

(a) Newsreels should give a realistic picture of the world.

(b) Motion pictures should cooperate to the full with the Army, Navy and national defense authorities to make films for training purposes to be used for Army camps and training posts.

(c) Hollywood should make more pictures about North and South America and awaken Americans to the majesty and achievements of this great democratic society.

(d) Motion pictures should widen their scope and vision when they portray contemporary life.

Wanger listed these four ways last night in a symposium of the "Town Hall of the Air," broadcast from Los Angeles over the NBC-Blue network. The subject was "How Should the Movies Aid National Defense?" Appearing with Wanger on the program were Rosalind Russell, Donald Ogden Stewart and Manchester Boddy.

In regard to the charges of propaganda and war mongering which have

(*Continued on page* 4)

President Hails Industry For Service to U.S.

Addresses M. P. Academy Annual Awards Dinner

Text of address on Page 4.

By BERTRAM F. LINZ

WASHINGTON, Feb. 27.—Spanning the continent with his words, President Franklin D. Roosevelt by radio late tonight hailed the motion picture industry for its achievements and for its services to national defense and the cause of democracy.

The President spoke from the White House. His address, heard by the nation over all networks, was directed specifically to the 13th annual awards dinner of the Academy of Motion Picture Arts and Sciences in the Hotel Biltmore Bowl in Los Angeles. The President spoke for seven minutes.

[From Los Angeles, it was reported that the address was enthusiastically received by the 1,200 guests assembled at the Academy dinner.]

President Roosevelt emphasized the role of the American films in national defense, in inter-American solidarity and in warding off "the assault on the Democratic form of government."

"We have seen the American motion picture become foremost in the world," he said. "We have seen it reflect our

(*Continued on page* 4)

AGMA-Petrillo Fight Up to Justice Dept.

WASHINGTON, Feb. 27.—It is reported that the Department of Justice has been asked to investigate the controversy between James C. Petrillo and the AGMA and to prevent interference by him or the American Federation of Musicians with AGMA members.

In Today's Issue

Reviews of "Footsteps in the Dark" and "The Great Train Robbery" will be found on Page 9. Census Bureau Reports on Industry, Page 10.

Variety Club Seeks Aid of Blood Donor

Charlotte, N. C., Feb. 27.—H. H. Everett of the local Variety Club has issued an urgent appeal to all clubs throughout the country to endeavor to locate a person who has been cured of a rare blood disease known as streptococcus verdians septicema endocarditis, who is able to donate blood for a transfusion in behalf of a Charlotte patient.

If the proper blood donor is found, and his condition permits, he will be taken to Charlotte at the club's expense, otherwise, the blood plasm will be shipped here by plane.

Bolognino Confirms Deal with Joelson

Laurence Bolognino, head of Consolidated Amusement Enterprises, yesterday confirmed that the circuit's 21 theatres in the Manhattan and the Bronx will be taken over tomorrow by Julius Joelson, former New York and Massachusetts theatre operator, as reported yesterday in Motion Picture Daily.

Bolognino, however, declined to divulge any details of the deal or to discuss his future plans, pending the formal closing.

Houses now operated by Consolidated are: Arena, Bryant, Chelsea, Morningside, Squire, Times and Tivoli in Manhattan, and Ascot, Avalon, Casino, Earl, Fleetwood, Forum, Jerome, Kent, Kingsbridge, Luxor, Mt. Eden, Ogden, Oxford and Surrey in the Bronx. Consolidated also has arranged to operate a new theatre under construction at Eighth Ave. and 19th St.

It is understood that Joelson plans an expansion of the circuit.

20th-Fox Pays 37½ Cents

Board of directors of 20th Century-Fox yesterday declared a dividend of 37½ cents a share for the first 1941 quarter on the company's preferred stock, payable March 31 to holders of record March 17.

Lindy's
INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

Maurice Silverstone, United Artists chief executive, is expected from the Coast on Monday after a month's visit on the Coast.

•

Louis D. Frohlich, Columbia counsel, will return to New York from Nashville on Monday.

•

Maurice Bailey, operator of the Whalley, Westville, Conn., and Jack Halprin, New Haven theatre contractor, are in New Orleans.

•

Harry F. Shaw, Loew-Poli division manager in New Haven, will leave March 6 for a Panama cruise.

•

Jack Warner, Joseph Schenck, Leo Spitz, Joseph Moskowitz, Charles Stern and Bernard Brandt lunching at Lindy's (51st St.) yesterday.

•

Mr. and Mrs. Harry Brandt will leave for Florida on Sunday.

•

Joe Hornstein has arrived in Miami. He motored from New York.

•

Andy Smith, Terry Ramsaye, Nate Blumberg, Fred Meyers, Nate Golden, Sam Shain, and Steve Broidy having lunch at Toots Shor's yesterday.

George J. Schaefer, president of RKO, arrives at the studio today for an indefinite stay.

•

Abe Schneider, Al Margolies and Irvin Shapiro at Lindy's (next to the Rivoli) yesterday for lunch.

•

George Dembow, Fred Schwartz, John D. Hertz, Jr., John Buchanan, Tamara, Donald Gibbs, Lester Fuller, Luther Adler, A. L. Berman, Lyle Talbot, Guy Bolton having lunch yesterday at Sardi's.

•

Jack Cohn, James Mulvey, Arthur Kelly, N. L. Nathanson, Harry Gold, Jeffrey Bernerd, Budd Rogers, Harry Thomas, Arthur Mayer, Maurice Bergman, I. E. Lopert, William Fitelson, Sam Spring and Arthur Lee at the Tavern for lunch yesterday.

•

E. K. O'Shea, J. J. Unger, Robert Weitman and William Orr at Nick's Hunting Room in the Astor yesterday for lunch.

•

David Weinstock plans to leave for Miami next week.

•

John Manheimer, executive secretary of the New York I.T.O.A., has returned from Florida.

Chicago Company Plans Local Reels

Chicago, Feb. 27.—Archie Spencer, representative of the American Vending Co., here, has formed a company to distribute and sell "sectional newsreels," known as Teletone News Co.

It is planned to film events in Illinois, Indiana, Wisconsin, Iowa, Missouri and Michigan. The company plans tieups with local newspapers which are given credit for the presentation of the newsreel on the screen. According to Spencer, the plan has been agreed to by the Illinois Daily Newspaper Markets, Inc., non-profit organization to publicize daily newspapers in Illinois. The reel will be released first about May 1.

Committee Named For 'Clean' B'way

Robert K. Christenberry, general manager of the Hotel Astor, heads the annual "clean-up" drive of the Broadway Association this year in a renewed effort to clear the Times Square area of so-called "undesirable businesses" and decorations. The Times Square Committee comprises William Morris, Jr., chairman; Robert Weitman, Joseph Bernhard, George Skouras, John Sullivan, Oscar Doob and Ray Whittaker.

Feinberg Injured in Crash of Plane

Atlanta, Feb. 27.—George J. Feinberg, vice-president of Dazien's, Inc., New York theatrical costumers, was among the passengers on the Eastern Airlines' sleeper plane which crashed near here today. He suffered a minor back injury and is being treated at the Piedmont Hospital. He was en route to New Orleans on business. Seven passengers were killed in the crash and eight others were injured.

Nominating Group Appointed by Ampa

The Ampa at a closed meeting at the Hotel Edison yesterday selected a nominating committee which will choose the slate of officers for the ensuing year. The committee is to report before April 10.

The committee includes: John C. Flinn, chairman; Ray Gallagher, S. Barret McCormick, Ed McNamee, Charles Alicoate, Joel Swenson and Hortense Shorr. Hap Hadley was named first alternate.

For the first time, trade paper representatives will have the right to vote, it was decided at yesterday's session. The meeting also ruled that no member of the nominating committee can be recommended for office.

U. A. Sets 'Topper' Shows in 10 Spots

United Artists has set trade showings of "Topper Returns," new Hal Roach film, in 10 key cities, and more are to be announced. The film will be shown March 11 in St. Louis, New Haven, Denver and Boston; March 12 in Cleveland, and March 13 in Chicago. On the following two days showings will be held in Buffalo, Charlotte, Des Moines and Baltimore.

Many Expected at ITOA 'Movie Ball'

Several hundred are expected to attend the eighth annual "Movie Ball" of the New York I.T.O.A. tomorrow night at the Hotel Astor. A number of civic notables have been invited as guests of the organization.

The entertainment program lists, among others, Carol Bruce, Boris Karloff, Orson Welles, Ben Blue, Ella Logan and the Calgary Bros. David Weinstock is general chairman of the affair.

Newsreel Parade

The war is virtually ignored as the reels found their subject matter in the birth of quadruplets in Kentucky, in the army's new cooking school and in the French Indo-China situation in addition to assorted general news and sports events. The contents:

MOVIETONE NEWS, No. 50—Canada speeds aircraft production. General Weygand at African defenses. Quadruplets born in Kentucky. Army culinary school in Kentucky. New dam under construction in Australia. Baseball Giants in training. Fencing at the Naval Academy. Yachting in Los Angeles. Sports show in Chicago. Chicago youngster is swimming marvel.

NEWS OF THE DAY, No. 248—War crisis in Singapore. Quadruplets born in Kentucky. Carnival in Rio. Dogs receive Hollywood awards. Baseball teams in spring training. Midshipmen in sword practice. Bob-sledding at Lake Placid.

PARAMOUNT NEWS, No. 53—Quads born in Kentucky. Art collection in Washington. General review of Martinique in the Caribbean. Wrestlers in battle royal in Newark.

RKO PATHE NEWS, No. 53—Fire in Chicago's Loop. Japanese mediators in Thailand. New powder plant in Indiana. Art gallery completed in Washington. Naval Reservists in training. New ship for Florida-Havana run. Chicago two-year-old is swimming champion. Regatta off California. Tampa girls in pie-eating contest. Bob-sledding at Lake Placid. Giants in training. New tunnel in Mobile.

UNIVERSAL NEWSREEL, No. 958—Situation in Indo-China. Aluminum for planes here. Army culinary school. Quads born in Kentucky. Dogs get Hollywood awards. Giants train in Miami. Sports show in Chicago. Midshipmen get fencing instruction. Skiing and bob-sledding at Lake Placid.

Supplies Set for Greek Relief Drive

Arrangements for the material to be supplied theatres in the New York area during Greek War Relief Week, March 25 to 30, were made yesterday at a meeting of the publicity committee.

Each theatre will be supplied 24 collection boxes for lobby collections, 200 buttons, six head bands, six sashes and four half-sheet cards. This will be delivered by the theatres' regular film delivery trucks. National Screen Service will provide theatres with a trailer featuring Melvyn Douglas before the drive opens.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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The NORTH sure goes for those SOUTHERN WOMEN!

We knew "Virginia" was going to wow 'em in the good old Southland...but look at these returns from the supposedly cold, cold north. Just goes to show you...if you build a picture, and a big picture, round a Southern gal... you're in the money. Remember...well, you get the idea...AND THE NEWEST DIXIE LOOK AT WHAT GAL IS DOING...

"VIRGINIA" tops every Paramount Picture but "N.W.M.P." in

Kansas City, Mo.	Tucson, Ariz.
Salt Lake City, Utah	Hartford, Conn.
Scranton, Pa.	New Haven, Conn.
Wilkes-Barre, Pa.	Worcester, Mass.
South Bend, Ind.	Springfield, Mass.
Buffalo, N. Y.	Boston, Mass.
Toledo, Ohio	Fort Worth, Tex.
Peoria, Ill.	Wheeling, W. Va.
St. Paul, Minn.	Dallas, Tex.
Minneapolis, Minn.	Lincoln, Neb.
Phoenix, Ariz.	Omaha, Neb.

Paramount Pictures Presents

"VIRGINIA"

TECHNICOLOR!

Madeleine Carroll · Fred MacMurray

with Stirling Hayden · Helen Broderick · Marie Wilson · Carolyn Lee

A Paramount Picture Produced and Directed by Edward H. Griffith · Screen Play by

President Hails Industry For Service to U.S.

(Continued from page 1)

civilization throughout the rest of the world—the aims and aspirations and ideals of a free people and of freedom. That is the real reason that some governments do not want our American films exhibited in their countries."

The President acknowledged "the great service" of the newsreels in acquainting the public with the "implications" of the lend-lease bill, "whose early enactment by the Congress we confidently anticipate."

He concluded: "I do not minimize the importance of the motion picture industry as the most popular medium of mass entertainment. But tonight I want to place the chief emphasis on the service you can render in promoting solidarity among all the people of the Americas.

"For all this and for your splendid cooperation with all who are directing the expansion of our defense forces, I am glad to thank you."

President Roosevelt addressed the dinner by radio because he could not make the trip to Los Angeles due to the stress of international affairs. This was the first time a President of the United States had addressed the industry Awards gathering. The only previous occasion when a high national official spoke was when the late Vice-President Curtis attended the event in 1931.

The President's address was the opening ceremony of the Awards dinner, with an introduction by Walter Wanger, president of the Academy. The radio program was concluded by the singing of "America" by Judy Garland.

Cites Screen's Part In Nation's Defense

HOLLYWOOD, Feb. 27.—Major General Joseph O. Mauborgne, chief signal officer of the U.S. Army, today described the film industry's contribution to the national defense program as "of vital importance" and "as important to the Army as is the steel industry's contribution."

Gen. Mauborgne arrived here today to confer with studio executives engaged in making Army training films. He attended the Academy Awards dinner tonight, where he made the presentations to the technical awards winners. A dinner will be given in his honor here tomorrow night and he will leave for San Francisco on Saturday.

Schine, Altec in Deal

The Schine Cicuit has renewed an agreement with Altec Service Corp. providing for sound service, repairs and replacements in 117 Schine houses.

Text of President's Speech

WASHINGTON, *Feb. 27.—Following is the text of President Roosevelt's address to the Academy of Motion Picture Arts and Sciences Awards Dinner in Los Angeles tonight:*

MR. WANGER, Ladies and Gentlemen:

I am happy to greet the motion picture industry of America, whose representatives are gathered from far and near for the annual Awards Dinner of the Academy of Motion Picture Arts and Sciences.

In these days of anxiety and world peril our hearts and minds and all of our energies are directed toward one objective. That objective is the strengthening of our national defense. Every day we realize that more and more things in our life must be evaluated in just such proportion as they contribute to the national defense.

American Industry Foremost

The American motion picture as a national and international force is a phenomenon of our own generation. Within living memory we have seen it born and grow up into full maturity. We have seen the American motion picture become foremost in the world. We have seen it reflect our civilization throughout the rest of the world—the aims and aspirations and ideals of a free people and of freedom.

That is the real reason that some governments do not want our American films exhibited in their countries. Dictators — those who enforce the totalitarian form of government — think it a dangerous thing for their unfortunate peoples to know that in our democracy officers of the government are the servants, never the masters, of the people.

Defense Problem Hemispheric

In all that I have said on that all-important subject through many months past I have emphasized that in the assault on the democratic form of government which imperils world civilization today, our problem of national defense has become one of defending the entire Western hemisphere — all three of the Americas — North, Central and South. We can no longer consider our own problem of defense as a separate interest. It involves the defense of all the democracies of all the Americas—and, therefore, in fact it involves the future of democracy wherever it is imperiled by force or terror.

An all-important factor in hemispheric defense is the lend-lease bill, whose early enactment by the Congress we confidently anticipate. It is a pleasure here and now to acknowledge the great service which the newsreels have performed in acquainting the public with all of the implications of this measure as it takes its way through the various legislative stages.

Acceptance of the task of cooperating with all the Americas in defending the entire Western hemisphere, implicit in our plans for national defense, is a natural outgrowth of our good neighbor policy in our relations with the other American republics. Happily for democracy, the Americas stand forth today as a notable example of international solidarity in a world in which freedom and human liberty are threatened with extinction.

Industry Used Resources

We have been seeking to affirm our faith in the Western world through a wider exchange of culture, of education, of thought, and of free expression among the various nations of this hemisphere. Your industry has utilized its vast resources of talent and facilities in a sincere effort to help the people of this hemisphere to come to know each other.

In carrying on this program of advancing the spirit of inter-American solidarity and continental defense our government has established machinery to coordinate our growing commercial and cultural relations with the American republics. Our Government has invited you to do your share of the job of interpreting the people of the Western hemisphere to one another. And all of us in all the twenty-one American republics are grateful that your response is so immediate and so wholehearted.

Emphasis on Service

I do not minimize the importance of the motion picture industry as the most popular medium of mass entertainment. But tonight I want to place the chief emphasis on the service you can render in promoting solidarity among all the people of the Americas.

For all this and for your splendid cooperation with all who are directing the expansion of our defense forces, I am glad to thank you. In the weeks and months that lie ahead we in Washington know we shall have your continued aid and support.

Wanger to Preside At Quigley Awards

(Continued from page 1)

entine Room of the Beverly-Wilshire Hotel, sponsored by Martin Quigley.

Studio executives, directors and stars will participate in honoring the winners, E. C. Callow of Warner Theatres in Philadelphia, and J. R. Wheeler, manager of the Balaban & Katz Granada Theatre, South Bend, Ind., who are being brought to Hollywood as guests of Quigley Publications.

Macgowan on Leave For Hemisphere Job

HOLLYWOOD, Feb. 27. — Kenneth Macgowan, 20th Century-Fox producer for the last four years, has obtained a leave of absence. He left last night by plane for New York to complete arrangements to take the position of Non-Theatrical Director for the Pan-American relations coordinating committee. The committee is part of the Nelson Rockefeller-John Hay Whitney project for hemisphere goodwill.

Honest Abel

Wheeling, W. Va., Feb. 27.

THE honesty of West Virginia mountaineers was displayed here by Abel Nicholson, an aging man from "back in the hills." He sat through "High Sierra," the first picture he had ever seen. He left the auditorium and a moment later approached the cashier and said,

"That certainly was elegant entertainment. I'd like to buy another ticket and see it again."

Scientific Awards To 20th-Fox, W.B.

HOLLYWOOD, Feb. 27.—Darryl F. Zanuck, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, tonight announced awards to 20th Century-Fox for its silenced camera and to Warners' art department and Anton F. Grot, art director, for the design and perfection of a water ripple and wave illusion machine. The awards are in the scientific and technical achievement classification of the Academy awards, presented tonight.

The major award, consisting of a gold statuette, was given for the silenced camera developed by Daniel Clark, Grover Laube, Charles Miller and Robert W. Stevens. A certificate of honorable mention was given for the Warner development.

Only five major awards in this classification have been given in the history of the Academy selections. Forty-one nominations were considered for this division, a considerable number, however, being tabled for consideration next year pending their more widespread use.

Wanger Tells How Trade May Aid U.S.

(Continued from page 1)

been leveled at the motion picture industry by political critics and others, Wanger pointed to the film, "Escape," which appeared first as a novel in the *Saturday Evening Post,* and yet that magazine was not accused of war mongering but when it was produced as a film, the industry was censured.

He cited also the fact that of 342 major films released during the year only 10 dealt with propaganda subjects. "Motion pictures cannot ignore the challenge of the crisis today," he declared. "National defense must be an all-out, 100 per cent effort or fall."

Miss Russell advocated eliminating messages and propaganda from feature films.

"The theatre is an art," she said. "Let us serve it as such and especially serve the nation."

Form Radio Company

HARTFORD, Conn., Feb. 27.—The Torrington Broadcasting Co., Inc., has been formed here, with the following officers: Joseph R. Schifini, president and agent; Joseph A. Ciccagalione, vice-president; Gerardo T. Schifini, treasurer, and Carmela S. Ciccagalione, secretary.

great
great
Great
GREAT
Martha SCOTT

cheers

cheers

CHEERS

Cheers

for

Richard A. Rowland's

"CHEERS for M

Released thru United Artists

ISS BISHOP"

LOEW'S AWARD for 1941

A new mark of merit!

LOEW's launches in 1941 a new service for moviegoers! Each year the leading critics of the nation select the "ten best" pictures of the year. Unfortunately, that choice is made TOO LATE to furnish a guide to you ticket-buyers.

Loew's modestly and with great sincerity, proposes to pick its own "ten best" as the passing parade of pictures goes by. These selections will be made in time for you to see and enjoy them.

In 1940, Loew's showed six out of the year's "ten best": *Rebecca, Foreign Correspondent, Boom Town, Northwest Passage, Our Town* and *The Mortal Storm.*

For 1941 we have created a "Loew Award" for those pictures we can honestly predict will be among the year's "ten best". There will be many other fine, entertaining pictures shown during this year which may, in your opinion, deserve equal recognition. Your personal comments or letters praising or criticising our selections will be welcomed.

As our first "Mark of Merit" picture for 1941 we choose
CHEERS FOR MISS BISHOP
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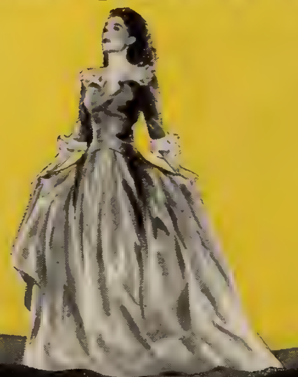

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UNITED ARTISTS

Lent Sends B'way Business Down After Good Week

Broadway is already feeling the effects of Lent. First run houses reported business was especially off on Ash Wednesday, the start of the Lent, which will continue until Easter. T[illegible] was some improvement yesterd[illegible]owever.

Up to the start of Lent, most theatres had a good week, with the Washington's Birthday business last Saturday.

The outstanding attraction was "Tobacco Road," which with a stage show grossed an estimated $56,000 at the Roxy in its first week. "Strawberry Blonde" and Raymond Scott's orchestra at the Strand also is going strong, having finished its first week with an estimated $48,000. It is expected to play three weeks.

Two new films opened yesterday, "So Ends Our Night" at the Radio City Music Hall and "Come Live With Me" at the Capitol. "Mr. and Mrs. Smith" did about $82,000 in its week run at the Music Hall with a stage show. At the Capitol, "Go West" drew about $28,700 for the week.

"Night Train" completes its ninth week at the Globe tonight with an estimated $7,500 expected. It will continue.

'Philadelphia Story' $10,000 in Cleveland

CLEVELAND, Feb. 27.—"Philadelphia Story" at the Stillman drew $10,000 in the second week. The annual Grotto Circus and heavy snow kept most of the other earnings down.

Estimated takings for the week ending Feb. 20:

"Mr. and Mrs. Smith" (RKO)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)
"Western Union" (20th-Fox)
WARNERS' HIPPODROME—(3,800) 33c-39c-47c) 7 days. Gross: $10,000. (Average, $11,000)
"Hudson's Bay" (20th-Fox)
RKO PALACE—(3,100) (33c-47c-55c). Joe Venuti, Andrews Sisters on stage, 7 days. Gross: $15,000. (Average, $13,500)
"So Ends Our Night" (U. A.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $8,500. (Average, $11,000)
"Philadelphia Story" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-47c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $4,000)

Mexican Bill Seeks Federal Censorship

MEXICO CITY, Feb. 27.—The Ministry of the Interior is to have sole charge of supervising and censoring pictures, under a bill presented to Congress which demands that this function be removed from the Mexico City Government. This centralized censoring is pleasing to the industry.

The bill provides charges of $1.10 for reviewing all pictures and 65 cents for Mexican films that are to be exported, and allows the Ministry $8,000 to cover censoring and supervision expenses this year. It is expected that Congress will pass the bill soon.

Building in Missouri

ST. LOUIS, Feb. 27.—J. P. Goshen, Sedalia, Mo., exhibitor, and the Commonwealth Co. are building theatres in Waynesville, Mo.

Feature Reviews

"Footsteps in the Dark"

(Warners)

A NEAT combination of smart comedy and a real murder mystery, this is spotted and spiced with laughs and well-paced action to provide a lively item of general audience entertainment.

Errol Flynn, in a role somewhat different from those he has handled recently, is in fine fettle as the wealthy young married man whose double life has for its second half the writing of smart fiction under an assumed name, combined with a taste for amateur sleuthing which tosses him squarely in the middle of a pair of murders.

Offering capable support are Brenda Marshall, as Flynn's wife; Ralph Bellamy, as a dentist whom Flynn proves to be the key to the puzzle; Alan Hale, as the police inspector and friend of Flynn; Lee Patrick, blonde burlesque dancer who is one of the victims; Allen Jenkins, as the Flynn chauffeur and confidant, and Lucile Watson, as Flynn's too-knowing mother-in-law.

Lloyd Bacon, in his direction, gave the film pace and a light touch, in the adaptation of a play by Lazlo Fodor, Bernard Merivale and Jeffrey Dell.

The title is in a sense somewhat misleading, since it connotes a dire and melodramatic chill story. It is true that the film has murder and mystery and excitement, but actually the title is that of a book written by Flynn, which arouses the ire of his mother-in-law.

On the way to solving the murders which baffle the police, and which involve a jewel ring, Flynn runs into a series of adventures, not the least of which involves keeping his wife in the dark concerning his secondary life, and then evading her persistent demands for an explanation when she gets wind of the fact that her loving husband is too busy at "directors'" meetings into the late hours of the night.

Running time, 96 minutes. "G."* CHARLES S. AARONSON.

"The Great Train Robbery"

(Republic)

NO relation to the film of the same name produced by the Edison Company some 38 years ago, "The Great Train Robbery" is a bang-up, action-full outdoor drama with a novel touch. Starting with a short sequence in which a crack train carrying a gold shipment completely disappears from the tracks, the camera reverts to a period five hours before the disappearance and reconstructs the event.

There are several chases with locomotives and automobiles, gun fights and "free-for-alls." Bob Steele, a railroad detective, is assigned to convoy the gold shipment while his brother, Milburn Stone, plots to hold it up. Stone's gang succeeds in overpowering the engine crew and in running the train off on a spur into an unused mine. The railroad officials looking for the train are misled by a phonograph record of a train's noises which lead them to believe that the train had passed a definite point before being switched off.

Claire Carleton is the girl who is loved by both brothers and Helen MacKellar plays the role of their mother. Joseph Kane produced and directed.

Running time, 61 minutes. "G."* EDWARD GREIF

** "G" denotes general classification.*

'Wrath' Chosen by Mexican Writers

MEXICO CITY, Feb. 27.—The Association of Cinematographic Journalists of Mexico has named "The Grapes of Wrath" as the best foreign film exhibited in this country in 1940. Selected for second and third choices were "The Day Has Dawned," French film, and "Traidos de la Tierra" ("Tillers of the Soil"), Argentine picture.

The association has elected the following officers: Roberto Cantu Robert, president; Thomas G. Perrin, vice-president; Severo Corte, secretary, and Salvador Ortigoza, treasurer.

3 Join Cinemasters

Bert Wilson has been named chief cutter and editor; John E. Graham, assistant director and casting head, and Don Malkames, chief cameraman for Arthur Leonard and Dick Hyland's Cinemasters, Inc.

Stanley Mortgages 25 Jersey Houses

The Stanley Co. of America has received a mortgage on 25 New Jersey theatres from the Connecticut Mutual Life Insurance Co. A blanket mortgage, it was filed with the register in each county in which the Stanley Co. has a theatre.

The loan is for 15 years, expiring Feb. 15, 1956. Securing the mortgage are theatres in the following New Jersey counties: Essex, Hudson, Union, Bergen, Morris, Passaic and Atlantic.

Set 'Cavalcade' Deals

Jeffrey Picture Corp. has closed distribution deals on "Cavalcade of Faith" with Charles Lalumiere for Canada and Lester P. Sussman for Central America. Jeffrey plans a feature with a Canadian background, and six color shorts in French, Spanish and English.

Urge British Gov't to Assist In Production

By AUBREY FLANAGAN

LONDON, Feb. 27.—The British Films Council, in a discussion of the entire English film problem, with particular attention to production, decided to advise the President of the Board of Trade that the most constructive policy under the circumstances is to assist British production.

Such assistance, it will be recommended, should take the form of obtaining releases, securing studio space, man-power and material supplies, and to encourage the financing of new production.

It was agreed that this method of procedure in view of the shortage of product which has alarmed exhibitors, is better than a reduction of the exhibitors quota to 15 per cent, which was sought by the Cinematograph Exhibitors Association, but opposed strenuously by producers and labor interests.

Nevertheless, it is understood that certain interests in the Films Council favor the abolition or suspension of the quota during the period of the war, as the only method which may be pursued seccfully.

The recommendations of the Films Council, along the lines indicated, are expected to be presented to Oliver Lyttleton, president of the Board of Trade, tomorrow, for his guidance in the recommendation of future legislation affecting the film industry in England.

The London and Home Counties Branch of the C.E.A. decided today to adopt, with the approval of various local authorities, new closing hours of 10 and 11 P.M., in accordance with blackout regulations. The decision of the C.E.A. branch confirms the forecast of such action published recently in MOTION PICTURE DAILY.

The branch also decided to go ahead with the plan to approach Government authorities with a plea for reduction or elimination of the charity tax assessed only on film houses for Sunday opening.

Stars to Frisco for 'Girl, Gob' Opening

HOLLYWOOD, Feb. 27.—Harold Lloyd, producer of "A Girl, a Guy and a Gob," RKO release, and stars Lucille Ball, George Murphy and Edmond O'Brien are going to San Francisco for the Coast premiere of the film here on March 5 at the Golden Gate Theatre. Terry Turner, head of the RKO field exploitation staff, is in charge of the premiere festivities in San Francisco.

U.S. Census Bureau Reports on Industry

Theatres $4.75 for $1 of Producing Cost

Washington, Feb. 27.—Film theatres in the United States in 1939 took in nearly $4.75 for every $1 expended on theatrical film production, according to the report of the Census Bureau. While the intake for theatres was $673,045,000, the producers spent $144,577,050.

Hearing Monday in Phila. Trust Action

PHILADELPHIA, Feb. 27.—Federal Judge George A. Welsh in District Court on Monday will hear argument on a petition to subpoena records in the anti-trust suit of Harrison Bros., operators of the suburban Lansdowne Theatre, against the Warner Circuit and the major distributors.

Harry Norman Ball, Harrison's attorney, gave notice of his intention to examine before trial certain of the defendants' employes and seeks the subpoena files. The suit, seeking $210,000 triple damages and involving the clearance of films in the suburban section, was filed in November, 1939. It is tentatively set for hearing April 21, contingent on William A. Schnader, counsel for the distributors, being free of other assignments to try this case. Morris Wolf will represent Warners.

Third Arbitration Plea Is Filed Here

The third demand for arbitration to be filed in New York and the 16th for the entire country since the opening of the 31 local boards on Feb. 1 was filed here yesterday.

The complaint was brought by Jack Davis, president of Monseigneur Enterprises, operator of the Forum at Metuchen, N. J., against all five consenting distribution companies. The complaint sets forth that Metuchen is obliged to follow Plainfield, N. J., on all releases and asks an arbitration decision finding this clearance unreasonable and an award permitting Metuchen to play day and date with Plainfield.

Three theatres in the latter city, the Paramount, Oxford and Strand, are cited by Davis as involved in his complaint.

Crescent Dismissal Motion Is Denied

(Continued from page 1)

trict court here. Judge Davies had the motion under consideration since.

Similar motions made by the Little Three in the Oklahoma City and Buffalo anti-trust suits previously were denied from the bench on the close of argument.

Judge Davies also overruled all but two objections made by the Crescent Co. and affiliated exhibitor defendants to the Government's interrogatories addressed to them.

U.S. Producers Expended $144,577,050 During 1939

WASHINGTON, Feb. 27.—American producers in 1939 expended $144,577,050 on the production of 520 theatrical features, including 27 in color, and an undetermined number of shorts, numbering more than 2,000, of which 125 were in color, it was disclosed in preliminary Census Bureau figures released tonight.

The total expenditure for the production of pictures, including theatricals, advertising, educational, industrial, news and all others, was $215,664,929, a new all-time high comparing with $197,741,358 in 1937 and $161,864,842 in 1935, the bureau reported.

Bureau officials commented that the figures show that in less than 20 years the outlay for the making of films has practically trebled over the $77,000,000 reported for 1921.

The preliminary report showed a total of 178 establishments engaged in the production of pictures in 1939, against 83 in 1937 and 129 in 1935. Less than 60 per cent of the establishments were located in California, but they spent approximately 85 per cent of the industry's total.

The bulk of the expenditure for production was reported for California, although only little more than half of the total number of studios were located in that state, it was shown.

There were 93 studios in the coast state with a total outlay for work of $186,848,971, compared with 35 studios with an outlay of $171,943,349 in 1937 and 75 studios with an outlay of $138,706,805 in 1935. These establishments employed 8,690 salaried officers and employes and 21,573 wage earners in 1939 compared with 11,222 salaried and 16,970 wage employes in 1937 and 10,308 salaried and 12,970 wage workers in 1935. Total salary and wage payments were $130,981,076 in 1939 against $132,914,402 in 1937 and $97,913,864 in 1935.

The report disclosed that 65 studios expending a total of $95,320,051 were located in the city of Los Angeles and 23 with an outlay of $91,448,650 in Los Angeles county outside the city. For the first time the bureau reported studios in the San Francisco area—five with a total outlay of $80,270.

There were 43 studios in New York with a total outlay of $18,059,670, it was reported, against 21 with an outlay of $16,377,532 in 1937 and 24 with expenditures of $15,947,072 in 1935. They employed 577 salaried and 1,268 wage earners in 1939 against 1,421 salaried and 1,462 wage earners in 1937 and 2,031 salaried and 1,209 wage workers in 1935; total salary and wage payments were $4,874,802 in 1939 against $4,516,725 in 1937 and $4,953,049 in 1935.

Illinois reported nine establishments with an outlay of $499,152 in 1939; Michigan five with an outlay of $1,765,472 and Missouri five with an outlay of $166,876. The number of establishments in all other states was 23 and their aggregate expenditure was $8,324,788; this number included two establishments each in Colorado, Florida, Georgia, Louisiana, Massachusetts, Minnesota, New Jersey, Ohio and Pennsylvania, and one each in Iowa, Maryland, Washington, Texas and Wisconsin.

'U' Stock Purchase Reported by S. E. C.

WASHINGTON, Feb. 27.—Acquisition by two Universal Corp. officials of 500 common voting trust certificates in that company constituted the only film stock transaction reported tonight by the Securities and Exchange Commission in its final December summary.

The SEC report showed that Preston Davie, director, acquired 400 certificates, giving him a total of 3,000 at the close of the month, and Peyton Gibson, secretary, acquired 100, giving him a total of 1,400. The Universal Corp. report showed also that Standard Capital Co. held 26,500 voting trust certificates and 111,283 voting trust certificate warrants at the close of the year.

Union Meeting Today

HOLLYWOOD, Feb. 27.—The meeting of the I.A.T.S.E. locals' business representatives with Pat Casey, producers' labor contact, relative to the producers' stand on wage scales and working conditions, has been postponed from today to tomorrow.

Republic Regional Held in Kansas City

KANSAS CITY, Feb. 27.—Republic's Midwest sales session, second of a series of five regional meetings, opened at the Muehlebach Hotel here today with James R. Grainger, president, in charge. H. J. Yates is attending.

Today's session was devoted to considering pictures to be released during the remainder of the current season. Grainger reported that 30 of the season's 58 features and shorts have been delivered and the balance of the program will be released before Aug. 10. The closing session tomorrow will be devoted to a discussion of product planned for next season.

Among those attending the meeting are: R. F. Withers, Kansas City; Gilbert Nathanson, Minneapolis; Sol Davis, Oklahoma City; Lloyd Rust, Dallas; Nat Steinberg, St. Louis; F. R. Moran, Des Moines, and C. R. Reese, Omaha.

Grainger and Yates are scheduled to leave here for Atlanta tomorrow night, where they will conduct the Southern sales meeting next Monday and Tuesday.

Producer Salaries $139,077,063 in '39

Washington, Feb. 27.—Total expenditures by producers for salaries and wages in 1939 was $139,077,063, as compared with $139,551,338 in 1937 and $104,429,588 in 1935, the Census Bureau reported today.

The drop in 1939 was in salary payments, to $93,341,137 from $102,393,327, but the average salary was much higher than in 1935, when salaries totaled only $79,429,588 for one-third more persons than were employed in 1939. Wage payments in 1939 were at a new high, $45,735,926 against $37,157,753 in 1937 and $24,686,405 in 1935.

33,687 Employed In Studios in '39

WASHINGTON, Feb. 27.—The Census Bureau reported tonight that 33,687 persons were engaged in film studios in 1939 against 32,398 in 1937 and 27,592 in 1935; the salaried officers and employes numbered but 9,635 in 1939, however, compared with 13,060 in 1937 and 12,675 in 1935, while the average number of wage earners was 24,052 persons against 19,338 and 14,917 in 1937 and 1935, respectively.

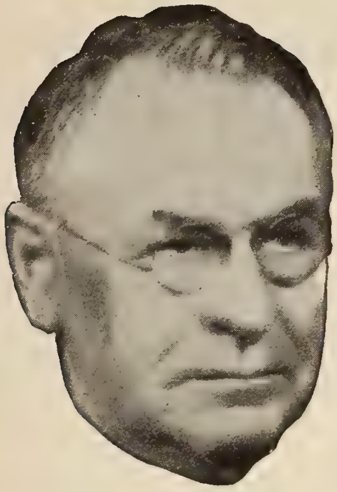
The bureau disclosed that the cost of studio supplies, containers for films, fuel and energy in 1939 ran to $43,051,733 compared with $35,574,879 in 1937 and $29,541,118 in 1935; the cost of contract work was $3,644,889 against $7,012,657 in 1937 and $5,144,976 in 1935, and other expenses were $29,891,244 against $15,602,742 two years earlier and $22,749,60 in 1935.

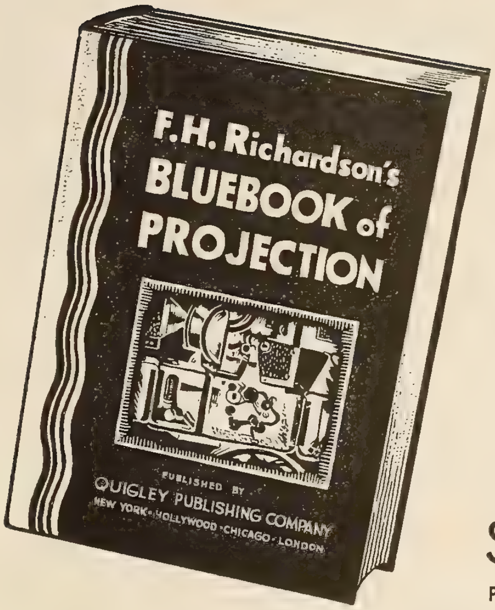
$4,035,493 Exposed Film Exported in 1940

WASHINGTON, Feb. 27.—Exposed film led the list of motion picture exports for the year 1940, as compiled by the Department of Commerce, with 189,321,259 linear feet valued at $4,035,493.

One inch or more in width, positive, was reported at 74,129,985 linear feet valued at $683,839 and negative, 20,454,288 linear feet valued at $514,372. Negative (exposed or exposed and developed), features (4,000 linear feet or over) were reported at 7,562,099 linear feet valued at $321,755. Others (less than 4,000 linear feet) included newsreels at 274,397 linear feet valued at $10,125 and other short reels, etc., at 2,014,976 linear feet valued at $88,572.

Under positive films, features (4,000 feet or over) were reported at 141,413,331 linear feet valued at $2,745,173 and less than 4,000 linear feet; newsreels, 6,830,055 linear feet valued at $123,357 with other shorts, 31,226,401 linear feet valued at $746,511.

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Theatre Changes

Takes Canadian House

TORONTO, Feb. 27.—The McCarthy Theatre in the boom town of Belleville, Ont., has been taken over by 20th Century Theatres, Ltd., Toronto, thus completing the circle of circuit houses in that city. Vincent Freeman will continue in the management of the theatre.

The Midtown Theatre, Toronto, will be opened by 20th Century Theatres on March 15. This was formerly the Madison, which was acquired from the Brady Estate last Fall, and it has been rebuilt in the meantime.

Installs New Equipment

SPOKANE, Wash., Feb. 27.—The Granada Theatre has installed a new film projection system, an "acoustical" ceiling and a new screen. The house is operated by Howard Amusement Co.

Shift Evergreen Managers

SPOKANE, Wash., Feb. 27.—James Keefe has returned to his post as assistant to City Manager E. W. Baker of the Evergreen Theatre, after a year's illness. Fred Hooper, assistant manager at the State, took over the same position at the Fox, and Mel Haberman, assistant manager at the Fox, took a similar job at the Orpheum.

To Rebuild in Pittsburgh

PITTSBURGH, Feb. 27.—Harvard University, the landlord, will rebuild the Alvin Theatre for the Harris Amusement Co., General Manager John H. Harris of the circuit announced. Closed since its roof collapsed last Fall, the Alvin was converted from a legitimate playhouse into a motion picture theatre five years ago when Harris took it over.

Blumenfeld Seeks House

SAN FRANCISCO, Feb. 27.—Joe Blumenfeld, local theatre operator, is negotiating for purchase of the Orpheum Theatre here, now operated by Fanchon & Marco under the management of Hal Neides.

May Ask Wis. Vote On Daylight Saving

MADISON, Wis., Feb. 27.—Although the Wisconsin Senate defeated by 16 to 13 the Murray bill to permit local option on Daylight Saving Time, Senator Milton T. Murray, author of the measure, declared he may present a joint resolution for a statewide referendum on the question.

Chaplin Fights Tax Claim

LOS ANGELES, Feb. 27.—Charlie Chaplin, appearing in Federal Court here yesterday to answer a Government claim that he owes $65,000 more taxes on his 1935 income, contended he is entitled to a $25,000 refund. He said he was unjustly taxed on receipts from United Artists Corp., which he claimed were returns on an investment, and not income.

Off the Antenna

PARAMOUNT has arranged a promotion campaign for four forthcoming films on Kate Smith's Friday evening hour over the CBS network. Although Miss Smith generally uses film material for dramatizations on her programs, Paramount's tieup is believed unique because it calls for promotion on four successive Fridays, beginning March 28. The films will be "Road to Zanzibar," "The Roundup," "I Wanted Wings" and "Reaching for the Sun." Each show will be preceded by announcements on Miss Smith's noonday programs.

• • •

Purely Personal: Raymond Paige will be guest on "So You Think You Know Music" over NBC-Red Tuesday. . . . Max Jordan, NBC foreign supervisor, and William C. Kerker, Berlin representative, arrived yesterday on the Siboney.

• • •

Program News: *Penn Tobacco has renewed Parks Johnson and Wally Butterworth on "Vox Pop" for an additional 13 weeks over CBS. . . . Andrew Jergens Co. has renewed "Jergens Journal" with Walter Winchell and "The Parker Family" over NBC-Blue for 13 weeks. . . . The Elmer Davis news program heard nightly 8:55-9 P.M. over CBS will be sponsored daily except Sundays beginning next week when Chrysler Co. takes over the Monday, Wednesday, Thursday and Saturday spots. Gillette Safety Razor Co. is the sponsor Tuesdays and Fridays. . . . WHN will start a quiz show with all questions directed to material from the Bible Sunday at 5 P.M. Dr. Frank Kingdon will conduct the quiz and Cresthaven Memorial Park will sponsor.*

FCC Releases Proposed Television Regulations

WASHINGTON, Feb. 27.—Preparatory to the March 20 hearing on commercialization and standards for television, the FCC today released a set of proposed rules. These rules cover both experimental and commercial television stations and are intended for study by interested parties prior to the hearing.

The commission asked for suggestions as to the best date for the start of commercial television and also whether standards shall be applied to the higher frequency channels, Nos. 8-18 inclusive, or whether these upper channels should be left open as at present.

Interested parties are asked to suggest alternative rules and regulations if they find the proposals set forth today inferior. Among the rules suggested today were provisions to prevent undesirable single ownership of many stations; provisions requiring commercial stations to operate a minimum of five to eight hours a day, and a requirement that all motion picture films used during a telecast must be preceded by an announcement that film is being used.

The hearing is expected to center around the questions of lines and frames, flexible or fixed standards, relationship of television to national defense, use of frequency modulation for the sound channel, color and synchronization of signals.

KIRO, Seattle, to Boost Power July 1

CBS disclosed yesterday that KIRO, Seattle, will increase its power from 1,000 watts to 50,000 on July 1 when a new transmitter now under construction on an island in Puget Sound is expected to be completed. It will be the first top power station in the Pacific Northwest, CBS said. The station will continue on the 710 k.c. frequency. Basic rate per evening hour will be increased from $225 to $325.

Del. Blue Law Repeal Favorably Reported

DOVER, DEL., Feb. 27.—The Revised Statutes Committee of the Delaware House today favorably reported Senator Paul R. Rinard's bill to repeal the state's 200-year-old Sunday Blue Laws.

The fact that the measure was reported out of committee in the midst of the rush of introduction of new bills and also in the face of a Democratic threat to delay action this week on measures requiring a majority vote, led many to believe the Sunday bill will be called for final action tomorrow.

The bill, which would substitute the present Blue Law with a measure whereby incorporated towns and cities can govern their own Sunday observance, was passed by the Senate 14 to 3 two weeks ago.

New Maine Station Approved by FCC

WASHINGTON, Feb. 27.—The Federal Communications Commission has issued a construction permit to the Lewiston Broadcasting Co. for a new 1,500-kilocycle, 250-watt station at Lewiston, Pa., and authorized Station WMBG, Richmond, Va., to increase night power from 1,000 to 5,000 watts.

Hearings were ordered held on the applications of Federated Publications, Inc., for construction permits for new FM stations at Grand Rapids, Battle Creek and Lansing, Mich.

Wis. Invites MacMurray

MADISON, WIS., Feb. 27.—The Wisconsin legislature today adopted a joint resolution inviting Fred MacMurray to Madison on March 13 for the showing of "Virginia," Paramount film. He attended high school here.

Radio Objects To Portions of Ascap Decree

(*Continued from page 1*)

gave no indication whether it would accept the Ascap decree as binding upon itself. Under the terms [illegible] the BMI decree, it does not go into effect until Ascap has been bound by a similar decree. BMI has 20 days after receipt of a certified copy of the Ascap decree to state whether it regards itself as bound. In music circles it is believed that BMI may ask several modifications in view of the Ascap settlement.

Meanwhile, John G. Paine, Ascap general manager, said yesterday that Ascap will concentrate its first efforts on reorganizing its office routine as soon as the consent decree its approved. He pointed out that many rearrangements will be necessary under the decree terms and the operations of the 38 field offices will have to be revised.

Paine's statement was made in answer to a question concerning the length of time Ascap would require to comply with the radio broadcasters' demand that Ascap submit a new proposed contract based on "per program" licensing.

It was explained that Ascap's recently appointed negotiating committee was meeting almost daily but its sessions are exploratory in nature Paine said the committee will arrive at definite formulae to be followed in the negotiations after the decree is approved, and probably not for some time thereafter. Paine reiterated that the society was completely satisfied with the decree but pointed out that it would be necessary to study it for legal aspects before drafting any contracts or arranging for new office practices.

Buck Expresses Hope For Early Radio Pact

HOLLYWOOD, Feb. 27.—Hope that Ascap may begin negotiations with broadcasters immediately on a new licensing agreement was expressed here today by Gene Buck, Ascap president. Buck came here to explain provisions of the society's decree to its West Coast members, who subsequently endorsed the decree unanimously. He will leave for New York this weekend.

Ascap Wins Suit on Austrian Royalties

N. Y. Supreme Court Justice Aro Steuer yesterday dismissed the complaint of four former members of A K. M., Austrian affiliate of ASCAP against ASCAP for $57,994. Th plaintiffs had secured a judgmen against A. K. M. in New York fo $99,658, and sought to collect $57,99 which they claimed ASCAP owe A. K. M. ASCAP's answer denie the indebtedness, and claimed that th judgment secured against A. K. M was void because the court had n jurisdiction.

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British Money Split Decided On 1940 Basis

Arbitrator Puts Formula On Gross Business

An arbitration decision favoring the British currency distribution method advocated by seven major companies over that proposed by Loew's has been handed down by Milton J. Handler, attorney and Columbia University professor, who served as arbitrator for the companies.

As a result of the decision, the allocation of the $12,900,000 which may be withdrawn by the eight companies from London this year will be on the same basis as last year. Loew's had advocated withdrawals on the basis of the net rather than the average gross business in Great Britain.

The arbitrator's decision can not be appealed.

A decision in Loew's favor might have meant a difference of $1,000,000

(*Continued on page* 6)

Catholic Charities Drive Starts Today

The annual campaign of the motion picture industry committee of the Catholic Charities of the Archdiocese of New York will get under way today, it was announced over the weekend by John J. O'Connor, vice-president and general manager of RKO Theatres, who is chairman of the industry committee.

The drive is for the purpose of raising funds toward the support of more than 200 charitable institutions. It is the 22nd annual appeal of the Archbishop's Committee of the Laity,

(*Continued on page* 6)

Kent Scheduled to Go to Coast Soon

Sidney R. Kent, president of 20th Century-Fox, is scheduled to leave for the Coast within two weeks to resume conferences on the 1941-'42 production program which were started at the studio several weeks ago. Also attending the meeting will be Herman Wobber, general manager of distribution, and Charles E. McCarthy, director of advertising and publicity.

Nathanson Reported Forming New Circuit In Canadian Cities

Toronto, March 2.—A new Canadian theatre circuit is in formation, reputedly with N. L. Nathanson, whose contract with Paramount as head of the Famous Players Canadian Circuit expires in June, at its head, it was learned here today.

The name of Jeffrey Bernerd, formerly of the Gaumont-British Circuit in England, is also linked with the new circuit, although it could not be ascertained definitely whether Bernerd is directly interested, financially or otherwise. He was a recent visitor here and conferred extensively at the time with Nathanson and associates.

[N. L. Nathanson, before leaving New York for Canada over the weekend, declared that the reports that he was acquiring theatres to develop a new circuit in Canada are untrue.]

The new circuit, known as Odeon Theatres of Canada, Ltd., already has acquired 12 theatres in Western Canada, including the Plaza and Paradise in Vancouver from R. J. Dawson, independent operator; one in Toronto, and has the Odeon under construction at Kingston, Ont.

Paul Nathanson, son of the Famous Players Canadian head, and Oscar Hanson, well known theatre and dis-

(*Continued on page* 6)

Canada Will Have 5% Tax on Tickets

Toronto, March 2.—Canada's Federal Government on April 1 will institute an amusement tax of five per cent on admission tickets, the industry learned over the weekend. Exhibitors will pay the tax on monthly box-office reports without the use of tax tickets. This will be in addition to the tax now levied by the provincial governments, excepting Ontario. The Federal tax is expected to bring $2,000,000 or more a year.

A.F.M. to Face U. S. Inquiry

Washington, March 2.—A Federal grand jury shortly will be convened to investigate charges against the American Federation of Musicians, booking agencies and the concert bureaus of major networks, the Department of Justice announced Friday.

The announcement came partly as a result of the efforts of James C. Petrillo, A. F. M. president, to compel all instrumentalists now members of the American Guild of Musical

(*Continued on page* 8)

Film Program on Defense Shown at Camp Bowie, Tex.

By HARRY McCORMICK

Dallas, March 2.—A film program in connection with a talk on "National Defense and the Motion Picture Industry" was presented to high-ranking officers at the Army Tent Theatre, Camp Bowie, Brownwood, Tex., by Richard Stout, attorney for Interstate Circuit, Inc., and Texas Consolidated Theatres, Inc.

With the cooperation of Sol Sachs, manager of the RKO exchange in Dallas, Stout obtained a print of "Britain's R.A.F.," March of Time release, at the request of Major Aubrey W. Schofield, commanding officer of the 111th Observation Squadron of the 36th Division.

For showing to the officers and men of the 111th Observation Squadron, Stout then built up a "National Defense Aviation Program," with the aid of RKO and Warners. He used the Time reel, "Service With the Colors," "Air Army" and "London Can Take It."

Major General Claud V. Birkhead, commanding general of the 36th Division and Camp Bowie, was present at the showing with his entire staff.

Stout preceded the showing with a 10-minute talk on the role of the industry in the national defense program. He emphasized the work of the Motion Picture Committee Co-operating for National Defense. "All branches of the industry are fully mobilized to back up the armed forces," Stout said.

General Birkhead in reply praised the program, which he described as "a pioneer effort in the important field of visual education for the army." He lauded Karl Hoblitzelle and R. J. O'Donnell, president and vice-president, respectively, of the circuits, for their cooperation in the national defense mobilization in Texas.

Great Majority Of Arbitration On Clearance

Practice in Dispute in 14 Of 17 Cases

Fourteen of the 17 complaints filed to date under the industry's arbitration system are on clearance. During the first month of operation of the new tribunals, which ended Friday, only 10 of the 31 boards had received complaints for adjustment.

No affiliated circuit theatre has been named in any of the complaints on file. New York and Washington, each with three cases, lead in number.

Boston, Chicago, and Detroit each have two complaints on file. Five boards in Denver, Milwaukee, New Orleans, Cleveland and Dallas each have one case.

Though complaints on clearance predominate, an award on this type of dispute cannot be made effective during the life of existing contracts or even later if material changes oc-

(*Continued on page* 6)

16 Single Feature Dates Set on 'Doe'

Sixteen special key city single-bill engagements have been set by Warners on the Capra-Riskin film, "Meet John Doe," which Warners is releasing, it was determined following conferences between Gradwell L. Sears, Warners general sales manager, and Robert Riskin.

Contracts for all playdates on the film call for single bill engagements,

(*Continued on page* 6)

Rodgers to Address Ampa on Thursday

William F. Rodgers, general sales manager of M-G-M, will be the speaker at the Ampa luncheon meeting Thursday at the Hotel Edison. He is expected to speak on the role of the advertising and publicity men in the industry.

In Today's Issue

"A Girl, a Guy and a Gob" is reviewed on Page 5. Critics' Quotes of new pictures on Page 6.

'Night in Rio' Roxy Premiere March 13

"That Night in Rio," 20th Century-Fox musical in color starring Alice Faye and Don Ameche, will be given a world premiere at the Roxy on Broadway on March 13, it was disclosed over the weekend by Herman Wobber, the company's sales chief. The film will be given a general release as an Easter week attraction around the country. An extensive advertising and exploitation campaign, including radio, is being prepared under Charles E. McCarthy's direction.

Para. Sets Up Sales Division for Shorts

Oscar A. Morgan, Paramount general sales manager for short subjects and newsreels, has created a separate sales organization for these divisions.

There will be 10 district sales representatives, all under Morgan's direct supervision. Eight of these already have been appointed and remaining two will be announced shortly. Those already set are: Richard Scheinbaum, Chicago; J. J. Curry, Los Angeles; James Harris, Boston; Edward Ugast, New York; Charles Duer, Denver; Harry Dodge, Atlanta; Saul Jacobs, Philadelphia, and Max Stahl, Cleveland. Yet to be named are representatives in Dallas and Kansas City.

Harley Returning To Post in London

Francis L. Harley, managing director in Great Britain for 20th Century-Fox, will leave today on the *Siboney* for his London post. He arrived here several weeks ago on a visit and spent some time on the Coast where he conferred with officials at the studio on forthcoming films.

Parry, Farnol on 'Wings'

David Parry, special writer for Donahue & Coe, has been loaned by the agency for special work on Paramount's "I Wanted Wings," roadshow engagements. He will work with Lynn Farnol, who has been employed by Neil Agnew, vice-president in charge of distribution, to do publicity on the film's roadshows. Farnol formerly was director of advertising and publicity of United Artists. He was in Washington on Saturday with Robert Gillham, Paramount advertising and publicity director.

Named 'U' Manager

Indianapolis, March 2.—Hadley H. Hull, acting manager of the Universal branch here for nine months, has been named manager.

SAFETY-SERVICE-CONVENIENCE
Here, you are certain to get the exact ingredients your physician prescribes, accurately compounded. We maintain extensive stocks of domestic and foreign preparations, and they're moderately priced.
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Complete Drug, Prescription and Cosmetic Depts.
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Personal Mention

Alexander Korda left by plane for the Coast over the weekend.

●

Maurice Silverstone, chief of United Artists world-wide operations, arrives today from the Coast.

●

Gene Buck, Ascap president, returned from Hollywood over the weekend.

●

J. Carlo Bavetta, 20th Century-Fox managing director in Brazil, is en route to his Rio de Janeiro headquarters from New York.

●

A. M. Van Dyke, 20th Century-Fox salesman in Chicago, has been presented a watch by the Reel Fellows Club, of which he is secretary, in recognition of his services.

●

Phil Engel, Warner Eastern district exploiteer, is in Buffalo.

●

George J. Feinberg, who was injured in the airplane crash near Atlanta on Thursday, will be in the Piedmont Hospital, Atlanta, for about a week.

Harry Buxbaum, New York branch manager for 20th Century-Fox, leaves for a Miami vacation tomorrow.

●

Herman Starr, New Jersey branch manager for Skouras Theatres, is recovering at the Murray Hill Hospital here after an appendectomy.

●

Joseph J. Lee returned over the weekend from Miami.

●

Nate Sandler, Iowa exhibitor, has returned to Des Moines with Mrs. Sandler from a trip to California.

●

Lou Brown, Loew-Poli publicity head in New Haven, spent the weekend in Boston.

●

Lillian Blumberg of the 20th Century-Fox branch here has left to join her family in Florida.

●

F. R. Moran, Republic exchange manager at Des Moines, has returned there from Kansas City.

●

George Ware, 20th Century-Fox salesman in St. Louis, is ill at a local hospital.

Charles Richardson Dead; Was Trustee

Bryn Mawr, Pa., March 2.—Charles E. Richardson, former treasurer for RKO, former trustee of Paramount-Publix, and former vice-president and treasurer of the old Fox company, died at his home here on Thursday.

He is survived by his widow, Philippa Q. Richardson. He resigned in May, 1933, from the Fox Film post to become Paramount trustee. He resigned as trustee in December, 1934, and was a Paramount director from the termination of the receivership until January, 1936.

Eastman-Agfa Suit Discontinued Here

Stipulation discontinuing the patent infringement suit of Eastman Kodak Co. against Agfa Ansco Corp. was filed on Friday in the U. S. District Court. The discontinuance is without prejudice to a renewal of the suit and without costs to either party.

Eastman had sought an injunction, accounting and damages, claiming the defendant was infringing a patent for the manufacture of motion picture film. Agfa denied the charges and claimed that Eastman was seeking to set up a monopoly in the manufacture of films.

Evanston in Drive on Dual Features

Evanston, Ill., March 2.—A drive to eliminate double features in this suburb of Chicago has been launched by Mrs. Gordon S. Graham, president of the Better Films Council of Evanston.

The council has started circulating petitions calling for a special election on the issue, asking the mayor and City Council to call a special election or submit the question of double features at the next general election. Mrs. Graham declared that a films council conducted poll showed 73 per cent in favor of single bills. She said the statutes provide for an expression of opinion by the voters on questions of public policy at any general or special election.

Mrs. Grahan Graham said she had asked B. & K. to experiment with singles at one of their three Evanston houses, but was told that the circuit could not change its established policy.

City Attorney C. C. Jarvis has raised the question of whether the double bill problem comes within the province of "public policy."

Blue Laws' Repeal Is Defeated in Del.

Dover, Del., March 2.—State police were to have rigidly enforced Delaware's 200-year-old Sunday Blue Laws over this weekend, following the failure of the House of Representatives on Friday to pass the local option bill on Sunday observance.

The measure, passed by the Senate, was defeated in the House as a test vote indicated 21 in favor, three short of the necessary 24. Following a roll call, supporters of the bill changed their votes to nay, making the official count 35 opposed. The procedure was followed to restore the measure to the House calendar for another vote.

Following a conference among State's Attorney General James Morford, State Police Lieutenant Roger Elderkin and Police Chief Frank Mahoney of Wilmington, Morford announced:

"The law must be enforced 100 per cent or not at all."

Reynolds to Make 'London Can Give It'

Hollywood, March 2.—Introducing Quentin Reynolds at the Academy of M. P. Arts awards banquet Thursday night, Frank Capra paid tribute to his "London Can Take It," adding the suggestion, "Now we want to see a picture called 'London Can Give It.'"

The next day Warners announced commissioning Reynolds to return to England in three weeks to produce a short, "London Can Give It," which will depict R.A.F. operations.

Beattie Promoted by Paramount in Phila.

Philadelphia, March 2.—George Beattie, Paramount salesman here, has been promoted to sales manager of the local exchange, succeeding Ulrik F. Smith, who became branch manager following the advancement of Earl W. Sweigert to district manager.

William J. Heenan, branch manager of the Peerless Exchange here, has joined the Paramount sales staff, taking over Beattie's Wilkes-Barre and Scranton territory. In addition, Saul Jacobs of Paramount's foreign department has come here as short subject district sales supervisor. The Motion Picture Associates will mark Beattie's promotion with a testimonial dinner on March 25 at the Germyn Hotel in Scranton.

'Wolf' Premiere in Sonoma

Warners plan a world premiere of "The Sea Wolf," from the Jack London story, at Sonoma, Cal., where the author wrote many of his books. The opening festivities will be sponsored by the Sonoma Chamber of Commerce and the Redwood Empire Association.

RKO Department Moves

The RKO home office advertising, publicity and exploitation department, headed by S. Barret McCormick, moved over the weekend from the 12th floor to new quarters on the 10th floor of the RKO Building.

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Congratulations

G NGER ROGERS

from

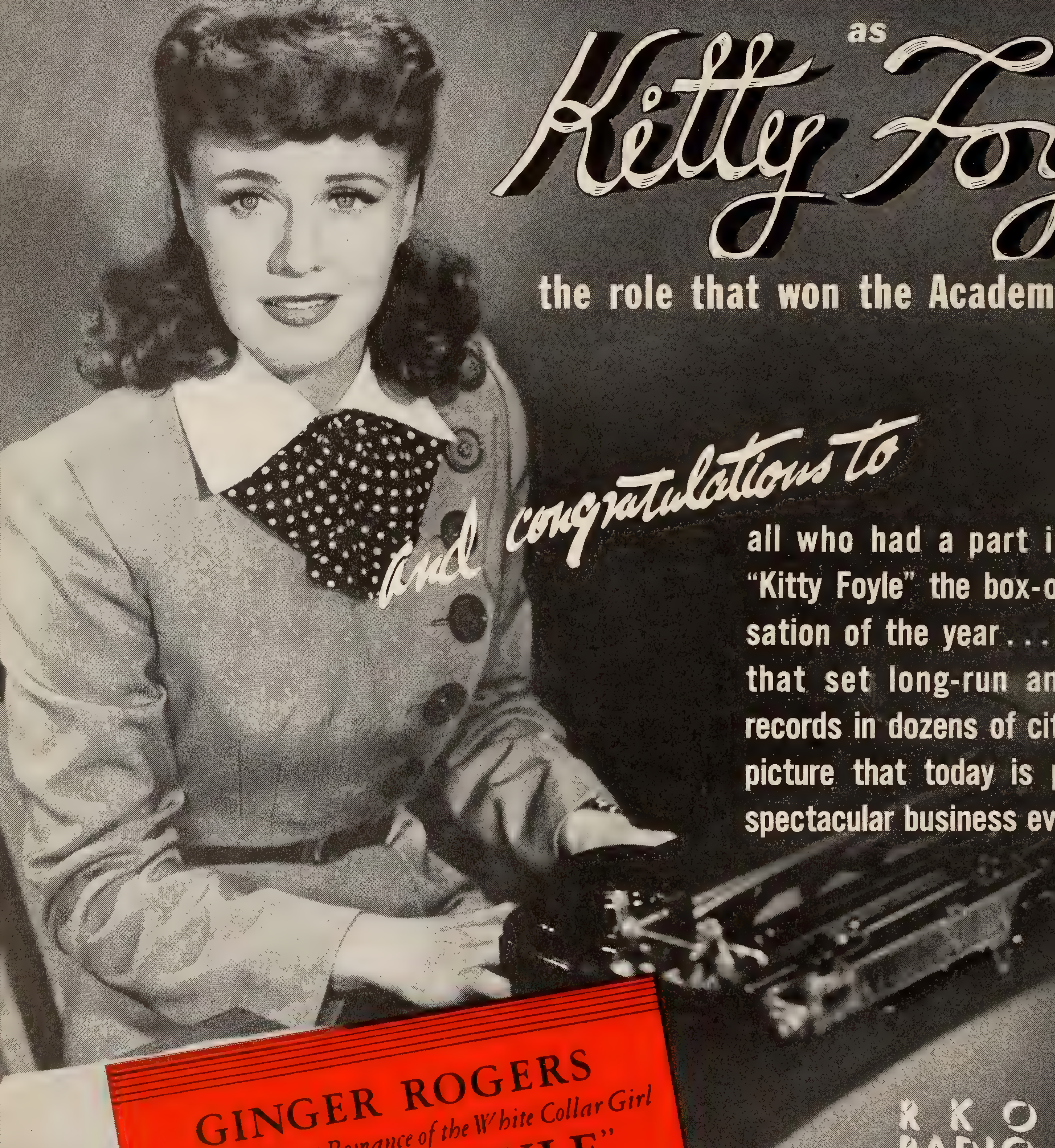
RKO Radio Pictures

GINGER ROGERS

as

Kitty Foyle

the role that won the Academy Award



and congratulations to

all who had a part in making "Kitty Foyle" the box-office sensation of the year . . . the show that set long-run and money records in dozens of cities . . . the picture that today is playing to spectacular business everywhere!

GINGER ROGERS
In the First Great Romance of the White Collar Girl
"KITTY FOYLE"
Christopher Morley's Natural History of a Woman
With
DENNIS MORGAN • JAMES CRAIG
Eduardo Ciannelli • Ernest Cossart • Gladys Cooper
Directed by SAM WOOD
Who Made "Goodbye, Mr. Chips"
Produced by David Hempstead • Harry E. Edington, Exec. Prod.
Screen Play by Dalton Trumbo • Additional Dialogue by Donald Ogden Stewart

RKO
RADIO
PICTURES

Encroaching

Detroit, March 2.

TROUBLES besetting the Wilson Theatre and its Mickey Mouse sign advertising "Fantasia" were settled when the City Council decided to allow the sign provided it was rebuilt of steel. The commissioner of buildings reported it was of cardboard and encroached two and one-half inches on city property, two ordinance violations.

Pittsburgh Houses Reject Games Ban

PITTSBURGH, March 2.—Independent and circuit exhibitors alike have informally indicated that they will not voluntarily stop chance games following receipt of a second letter from George Dennison, manager of the Better Business Bureau, asking them to ban theatre lotteries, while the B.B.B. is planning a campaign to try to abolish prize promotions through arousing public indignation if the theatres do not cease themselves, according to unofficial but authoritative sources.

Following a meeting of Allied M.P.T.O. of Western Pennsylvania, Fred Herrington, secretary, declared that requesting theatres to stop games because they were the cause of other gambling, was an insult to exhibitors, and that they probably would ignore Dennison's letter.

Executives of the Warner Theatres and Harris Amusement Co., operators of more than 30 theatres in metropolitan Pittsburgh, thus far have declined to issue any statement on the question raised by the Better Business Bureau, but privately some of them have stated that they believe the bureau's attack is unwarranted and unjust, particularly in its implication that motion picture houses are stimulating gambling.

"One reason for continuance of games and similar promotions," contended on theatre official, "was because of box-office competition from organizations, fraternal orders, and even churches."

Indianapolis Club Committee Named

INDIANAPOLIS, March 2.—Standing committees for 1941 have been named for the local Variety Club by Kenneth T. Collins, chief barker.

Chairmen are: Heart fund—Wade W. Willman; membership — Fred Greenberg; entertainment—Carl Niesse; house—Art Landes; public relations—H. L. Hancock.

Art Fund by Theatre

CHICAGO, March 2.—A scholarship for the Chicago Art Institute, to be known as the American Institute of Decorators, will be provided by the receipts, at $1 a ticket, of Friday night's opening of Today, newsreel house operated by Richard E. Beck.

Joins Empire Staff

ST. JOHNS, N.B., March 2.—Ernest A. Whelpley has joined the sales staff of Empire-Universal here. He was formerly with RKO locally.

Feature Review

"A Girl, a Guy and a Gob"

(RKO-Lloyd)

HAROLD LLOYD, this time as producer rather than actor, draws upon his extensive knowledge of, and experience in, comedy to furnish exhibitors with as satisfying a laughter-package in "A Girl, A Guy and A Gob" as has come from Hollywood in many a month.

The picture has no other aim than to provide laughs. This it succeeds in doing by methods so varied and unrelated, one to another, that chuckles or outright guffaws follow one upon another in quick succession, or, after brief and infrequent periods of drought, burst in such floods that only the overtones are retained.

Lloyd has returned for much of his formula to the comedy methods which made him one of the leading comedians of the screen. He has disdained sophistication, even for purposes of background, and ignored the subtle. His laughs and whatever breeds them are as obvious as the screen images. They are extracted from ludicrous situations, outright slapstick, irresponsible and irrepressible—but likable—characters, and child-like adults and zaneys of the kind who enriched "You Can't Take It With You."

The framework on which Lloyd has hung his generous outlay of amusing antics is simply the romance between the girl who loves the gob who loves the Navy more, and how, ultimately, she is presented by the gob to the guy who really loves her. The laughs are inherent in the characters and the situations which they create for themselves, rather than in plot or story, there being very little of either. The touch of true comedy is upon all characterizations and incident.

All of it is played to the hilt by every member of the cast under the knowing direction of Richard Wallace. While the major chores fall to George Murphy as the gob, Lucille Ball as the girl, and Edmond O'Brien as the guy, others within the limits of their lesser roles are equally good. Especially is this true of George Cleveland as the father, Kathleen Howard as the mother, and Lloyd Corrigan as the brother. Good bits are added by Henry Travers, Doodles Weaver, Richard Lane and Franklin Pangborn.

Despite its lack of marquee names in the cast, the picture can be readily sold wherever there is a market for comedy, a movie-goer in quest of laughs. It is an antidote for and a respite from the headlines of the day and the "experting" of radio commentators, and may be sold as such safely and truthfully.

Minor fault might be found with the closing sequence which seems overlong in its development in contrast with the headlong pace of what precedes it.

Running time, 92 minutes. "G."* SHERWIN A. KANE.

** "G" denotes general classification.*

Mexican Theatres Sign Union Contract

MEXICO CITY, March 2.—Exhibitors here are assured freedom from labor troubles until 1943 with the signing of the collective contract that the National Film Workers Union has been demanding since October, 1939. This contract allows the continuance of high wage scales for most of the theatre employes besides a 10 per cent increase for other workers. The union called five strikes to enforce the agreement.

Union chiefs declare that this contract will be fully respected by the workers. Pedro Tellez is secretary general of the union.

Reduces Admissions

INDIANAPOLIS, March 2.—The Sheridan Theatre, neighborhood house here has lowered admissions Thursdays, Fridays and Saturdays to 20 cents. Admissions the remainder of the week stay at 30 cents.

Woman Exhibitor Dead

SEATTLE, March 2.—Word has been received here of the death of Mrs. Helen E. Barry, owner of the Princess Theatre at Edmond, Wash.

Reformer Threatens Industry "Expose"

PHILADELPHIA, March 2.—Rev. Dr. William B. Forney, secretary of the Lord's Day Alliance, which is leading the fight against Sunday films in this state, has threatened to "expose" the film industry.

Using his invitation to support "Land of Liberty" as a stepping stone, he charged the industry is presumptuous in asking the ministry to support anything connected with it. He said he is writing a series of articles "blasting" the industry and "exposing unethical and illegal methods used by the industry to bet legislation." He was vague about the publication in which his articles would be published.

Paper Attacks Film

PHILADELPHIA, March 2. — The *Catholic Standard and Times,* organ of the Catholic Church in this diocese, in an editorial on Friday attacked "This Thing Called Love" as "Hollywood hash."

Gets Republic Post

DES MOINES, March 2.—Francis Cappler is the new booker at the Republic Des Moines office.

Mears and Smith Wage Contest for CEA Presidency

LONDON, March 2.—A vigorous battle is under way for the presidency of the Cinematograph Exhibitors Association for 1941-'42.

Harry P. E. Mears, incumbent, is a candidate to succeed himself, and is opposed by Sydney K. Lewis, currently vice-president of the exhibitor organization. Mears' bid for reelection is based on the plea that the organization should not change horses in the middle of the stream, referring to the current emergency. He claims there are many vital problems still remaining to be solved, with which he is closely familiar. He also contends that his position as an independent is a guarantee of continued good service to the organization.

Protests Election Expense

Lewis, in turn, has protested the expense of an election, contending he is constitutionally entitled to the election. The decision will be made on March 10.

Exhibitors are expected to be seriously affected by an increase in the minimum age for reserved occupations as it relates to projectionists, which is understood to be made soon. Exhibitors already are suffering from the general shortage in technical labor.

The C.E.A. annual report for the last war year records the achievements of the exhibitors in the face of difficulties, and notes the increasing appreciation of the role played by the film theatre in maintaining public morale.

Theatre Staffs Depleted

The report particularly refers to depletion of theatre staffs and the work with the Ministry of Information films, which have been circulated to 20,000,000 patrons weekly. Reference also is made to the product shortage and the contradictory situation prevailing, with an increase in the exhibitors quota impending, while there is a decrease in available films.

Building Under Way In New Haven Area

NEW HAVEN, March 2.—Spring construction has begun to get under way in Connecticut. Joseph Faith, operator of the Unionville, Collinsville, and Terryville, will open his new 650-seat Carberry Theatre in Bristol, Conn., converted from a lodge hall, early this month. Peter Perakos and Joseph Quittner, are building a 1,000-seat house in East Hartford, Conn., Fred Quatrano, co-operator of the Lido, Waterbury, is proceeding with a 700-seat house to be constructed in Newington, Conn., which has no house at present.

Strand Amusement Co., operator of Bridgeport neighborhood houses, will remodel the 700-seat Strand-Palace, built in 1912, installing new heating, new marquee, modernistic glass front and new seating. Bids are out for renovation of Michael Daly's 700-seat Plainfield Theatre. Philip Schwartz, operator of the Parkway, Bridgeport, will enlarge that house from its present 400 to 600 seats, and renovate generally. The Roger Sherman and other "A" houses on the Warner circuit are trying out a new type of lamp for interior effect.

Great Majority Of Arbitration On Clearance

(Continued from page 1)

cur in selling and exhibition practices in the situation involved, as they may under the block-of-five method which will go in effect with the 1941-'42 selling season.

For this reason, the RKO Uptown, Detroit, last week chose to bring an action in circuit court there, instead of in the local arbitration board, in the hope of obtaining the immediate clearance relief from a court which the arbitration board can not give.

Alleges Contract Violation

The action was in the form of an application for an injunction to restrain Paramount, Loew's and 20th Century-Fox from licensing United Detroit houses as second runs, in what the Uptown charged was a violation of its second run contracts with those companies. The defendants contended that the United Detroit houses so licensed are in neighborhoods competitively removed from the Uptown, and so not affected by the Uptown's contracts.

One, and possibly three, of the 17 complaints on file are of dubious validity. One of these, the only complaint on file with the Cleveland board, involves "some run" for a theatre under construction which, it is said, does not replace one in existence prior to last Nov. 20. Under the decree, such a theatre is not eligible for arbitration. However, the complaint has been permitted to stand in order that the arbitrator himself may make the ruling on its validity.

Two by Drive-In-Theatres

The other two doubtful complaints are on file with the New Orleans and Dallas boards. Both were entered by drive-in theatres, which are not mentioned specifically in the decree as having arbitration rights. These also will be decided by arbitrators.

The Dallas complaint was the last one filed during February. It was made by Joseph's Drive-in Theatre at Austin, Tex., and asks an adjustment of clearance and "some run" from Loew's and 20th Century-Fox. Theatres involved in the complaint are the Interstate, Underwood and Ezell, all in Dallas.

16 Single Feature Dates Set on 'Doe'

(Continued from page 1)

advanced admissions and extended runs. The 16 dates set thus far include:

Rivoli and Hollywood, New York, March 12; Hollywood and Downtown, Los Angeles, March 12; Victory, Dayton, March 15; Colonial, Richmond, March 14; State, Harrisburg, March 21; Norva, Norfolk, March 21; Lincoln or Stuart, Lincoln, Neb., March 19; Criterion, Oklahoma City, March 12; Roxy, Springfield, Ill., March 14; Mary Anderson, Louisville, March 14; Knickerbocker, Nashville, March 14; Beach, Miami Beach, March 12; Paramount, Miami, March 12, and Circle, Indianapolis, March 12.

Critics' Quotes . . .

"NICE GIRL" (Universal)

Refreshing and wholesome entertainment that should win the popular star new friends. The five songs she sings are first-rate and wisely involve no operatics.—*Newsweek.*

A pleasant, if unimportant, little incident in the development of this singing star . . . there's a lighthearted, humorous air about the whole thing which probably will satisfy the Durbin fans.—*Virginia Wright, Los Angeles News.*

"TOBACCO ROAD" (20th Century-Fox)

The director-writer team responsible for "The Grapes of Wrath" again turns a controversial and highly censorable narrative into an unusual and arresting screenplay . . . developed on the screen with the accent on the broad and folksy comedy. While this switch is effective in its own right, it remains less satisfying.—*Newsweek.*

It all may just seem a conventional, folksy comic strip, with rather more expensive photography than the average, to many people who have never heard of Erskine Caldwell and his "Tobacco Road."—*The New Yorker.*

"STRAWBERRY BLONDE" (Warners)

A blithe, sentimental, turn-of-the-century buggy ride. Cagney makes the hero a tough but obviously peachy fellow. But the strawberry humdinger, Rita Hayworth, takes the picture away from him, and dark-eyed Olivia de Havilland, with her electric winks, takes it away from both of them.—*Time.*

Not a sturdy story, and it is inclined to ramble, but excellent acting plus dialogue, impart to it a charm and warm humor that make it enjoyable.—*Norman Clark, Baltimore News Post.*

"COME LIVE WITH ME" (M-G-M)

A delightful picture in spite of a few inconsistencies . . . alternately clever, tender and humorous. And serious, too, but unobjectionably so because this element is fleetingly inserted and seemingly necessary to set things right.—*Wanda Hale, New York Daily News.*

Rather slow in getting under way, but developing a steady pace in its later passages, the film is a happy blend of comedy, sentiment and fortitious eccentricity.—*Robert W. Dana, New York Herald Tribune.*

"THE LADY EVE" (Paramount)

This bubbling and frothy comedy-romance, which Mr. Sturges has whipped up for Paramount, possesses all the pristine bounce and humor, all the freshness and ingenuity that seems to have been lacking from the movies since away back—we don't know when.—*Bosley Crowther, New York Times.*

A highfalutin' slapstick comedy that bristles with laugh-provoking material. . . . Sturges has written a highly amusing comedy and has directed it with a cleverness that is sometimes extremely subtle and at others as broad as the beam of the ship on which the hilarious affair begins.—*Kate Cameron, New York Daily News.*

"MEET JOHN DOE" (Warners)

The picture has many excellent, many not so excellent details, and will doubtless accent for millions the virtues of neighborly compassion.—*Time.*

Catholic Charities Drive Starts Today

(Continued from page 1)

of which Alfred E. Smith is chairman; John A. Coleman, executive chairman; Postmaster General Frank C. Walker, treasurer, and George J. Schaefer, president of RKO, assistant treasurer.

O'Connor announced members of the motion picture committee, on which Walker and Schaefer are serving, as follows: W. B. Van Schmus, Radio City Music Hall; Nathan J. Blumberg, Universal; Herman Robbins, National Screen Service; Martin Quigley, publisher of MOTION PICTURE DAILY and *Motion Picture Herald*; Harry Brandt, Brandt Theatres; Austin C. Keough, Paramount; Jack Alicoate, *Film Daily*; Major Edward Bowes; Samuel Broidy, Monogram; Harry Buckley, United Artists; Spyros Skouras, National Theatres; William F. Rodgers, M-G-M; Phil Reisman, RKO; William A. Scully, Universal.

Also: Gradwell L. Sears, Warners; Patrick Casey, Casey Enterprises; H. M. Doherty, Warners; George Skouras, Skouras Theatres; William White, Skouras Theatres; John Nolan, Comerford Theatres; John Murphy, Loew's; Leon Netter, Paramount; Dennis F. O'Brien, of O'Brien, Driscoll & Raferty; Si Fabian, Fabian Theatres; James R. Grainger, Republic; Al Hovell, Century Circuit; E. C. Grainger, Feiber & Shea Theatres; John Kane, Columbia; Maurice Kann, *Boxoffice*; Joseph McConville, Columbia; Charles B. McDonald, RKO Theatres; Joseph P. McLaughlin, Paramount; Joseph E. McMahon, Consolidated Film Industries; William Morris, William Morris Agency; William T. Powers, National Theatres; John O'Connell, Republic; Charles Reagan, Paramount; Bert Sanford, Altec Corp.; Charles L. O'Reilly, Sen. William J. Murray and P. A. Powers.

Arraigned in Tax Case

DETROIT, March 2.—Two brothers, Mac and Sol Krim, arraigned here before Federal Judge Edward J. Moinet on a charge of failing to pay taxes on theatre admissions, pleaded not guilty. The theatres involved are the Harmony, Lasky and Park, neighborhood houses.

Nathanson Reported Forming New Circuit In Canadian Cities

(Continued from page 1)

tribution executive here, identified with the Nathanson enterprises, are reported to be directing the circuit building activities. Further acquisitions of theatres in Western, Central and Eastern Canada, particularly Ottawa and Montreal, are expected.

It is also reported that negotiations are under way for the acquisition of Twentieth Century Theatres, Ltd., a circuit developed recently by Nat Taylor, who has been an officer of the Independent Theatres Association of Ontario for several years.

It was learned that William J. Long of Vancouver has been named supervisor for the new Odeon Theatres Company in British Columbia.

The development activities have been so active, it was learned, that Hanson was obliged to forego attending the recent Universal annual sales convention in Chicago because of them. Hanson is director of Empire-Universal Films, Canadian distributor for Universal.

Paramount Officials Confirm Canada Reports

Paramount home office officials said they had heard reports that N. L. Nathanson or his associates were engaged in theatre acquisitions in Canada. They declined to comment on the renewal of his contract as operating head of Famous Players Canadian.

British Currency Is on 1940 Basis

(Continued from page 1)

in the allocations of British remittances to that company, according to unofficial estimates. This would be due to the large increase last year from "Gone With the Wind" in Metro's normally good business in the United Kingdom.

Inasmuch as the allocations will be on the same basis as last year, each company's receipts should be about one-third less than in 1940. This is due to the fact that only $12,900,000 may be withdrawn by eight companies, as compared with $17,500,000 by seven companies the year before.

J. Robert Rubin, general counsel for Loew's, and Samuel D. Cohen of Loew's home office legal staff represented that company. Joseph H. Hazen of Warners represented the other seven major companies. The hearings before Handler lasted about three weeks. His decision was accompanied by a 14-page opinion.

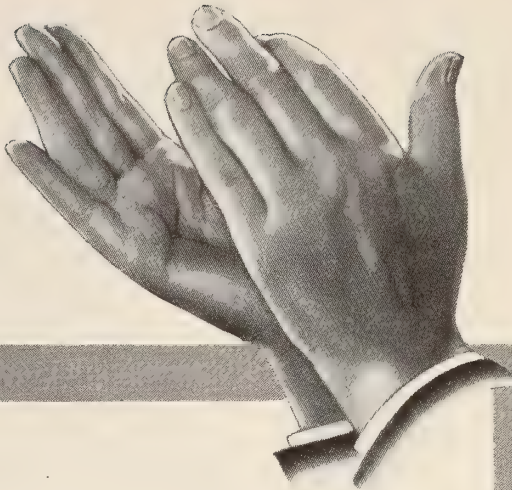
Chakeres Takes Theatre

SPRINGFIELD, O., March 2.—Chakeres Theatres, Inc., which dominates this situation through operation of all first runs and also operates houses in several nearby towns, has taken over the Forum, at Hillsboro, O., from William Hill.

Film on Palestine

"Palestine Speaks," new film produced in that country by the Palestine Films Co., is currently playing at the Ascot Theatre, Bronx.

Cheers! FROM MEN WHO KNOW BOX-OFFICE VALUES!



DAVID O. SELZNICK

producer of "Gone With The Wind" and "Rebecca"
and many other outstanding box-office successes, ***says:***

"I have seen 'CHEERS FOR MISS BISHOP'. It is a tender and touching piece of Americana!"

Richard A. Rowland
presents

Cheers for Miss Bishop

An Unforgettable Love Story

with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation
by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and
SHERIDAN GIBNEY • Released thru United Artists

U.S. to Probe AFM, Agencies In AGMA Row

(*Continued from page* 1)

Artists to join the A. F. M. or be banned from all entertainment fields where the musicians' union has closed shop contracts.

The department charged that Petrillo had entered into a conspiracy with the booking agencies and networks in an attempt to destroy AGMA and to force the instrumentalists into his own union. Complaints also are under investigation which alleges that the networks and booking agencies have combined to monopolize the business of arranging concert tours and other public performances of AGMA members and to dictate the terms under which such appearances can be made.

"The constitution and by-laws of the A. F. M. provide for a payment to that union of 10 per cent of the proceeds from every engagement," it was declared. "They provide further for payment of a Federation tax of 50 per cent of all proceeds collected in radio engagements by a guest conductor entering the jurisdiction of a local. The powers of Petrillo are absolute and subject to no control."

AGMA 'Welcomes' Probe

Intervention of the Department of Justice in the controversy between the American Federation of Musicians and the American Guild of Musical Artists is welcomed by the latter, according to Mrs. Blanche Witherspoon, AGMA executive secretary, in a statement issued over the weekend.

To Start Milwaukee 'Radio City' Shortly

Milwaukee, March 2.—Work is scheduled to start shortly on the Milwaukee *Journal's* "Radio City," which will house executive and program departments, musicians, announcers, music library, master control desk, short wave relay equipment and several storerooms and work shops. A television tower 300 feet high will be erected at the rear of the site adjoining a television transmitter house.

The *Journal,* which owns WTMJ, also operates an FM station and is working on television. The new "Radio City" will be erected on a five-acre tract on the city's North Side.

Break Ground for WISN Transmitter

Milwaukee, March 2.—Ground has been broken in Greenfield, near here, for a new transmitter for WISN, which is planned for completion early in the Summer, according to Don Weller, the station's engineer.

A shift in WISN's sports staff will take place this week when Alan Hale leaves to join WJJD, Chicago. His place at WISN will be taken by Hal Walker.

Wilder Leaves for S. A.

Thornton Wilder, film writer and novelist, left Friday for South America to lecture under the auspices of the State Department.

Off the Antenna

SATURDAY was the final day on which the National Television Systems Committee accepted suggestions for standards in television. Although the NTSC rendered its final report to the FCC on Jan. 27, it was decided to accept further suggestions up to March 1 in order that the commission might have the benefit of later developments or suggestions on March 20, when the FCC will hold formal hearings on commercialization and standards for the new art.

It was learned that the NTSC made March 1 the final date for new submissions because it was felt that at least two weeks were required for study and additional time for a report. Several papers on the question of lines per frame and syncronization were submitted, it was said.

• • •

Purely Personal: *Franklin Pierce Adams, one of the regulars on "Information, Please," will repay Fred Allen for the latter's guest appearance with the experts by returning the call on Allen's show over CBS Wednesday at 9 P.M. . . . The engagement of Marian Schissel, director of women's affairs for KSO-KRNT, Des Moines, to Herbert Pike has been announced. . . . Jack Starr Hunt has been named Mexico City correspondent for Mutual. . . . E. P. H. James, sales promotion director for NBC-Blue will lead a round-table discussion on buying at the annual conference of Graphic Arts on Wednesday at the Biltmore Hotel.*

• • •

WLWO, the Crosley short wave station in Cincinnati, has added programs in French, in addition to those in Spanish, Portuguese and English previously carried. The station has obtained the services of Jean ten Have, French consul in Cincinnati, for a weekly news program Sundays at 8:15 P.M., EST.

• • •

WMCA at its signoff at 1. A. M Saturday started an expanded news service, utilizing the full Associated Press wire. International News, which had been used exclusively will now be supplementary to AP. Fourteen news broadcasts a day will be given, for a total of about three and one-half hours, not including the talks by staff commentators. The news setup is handled by Hal Janis and a newscaster staff of six.

• • •

Additional exploitation *over the air for "Road to Zanzibar" has been arranged by Paramount. The new spots include a guest appearance by Bing Crosby on Bob Hope's show on April 8 and a subsequent return appearance by Hope on Crosby's "Kraft Music Hall." On April 7, 9 and 11, Hedda Hopper will dramatize the life of Bing Crosby on her CBS show.*

Theatre Changes

Dworski Resumes Post

Mansfield, O., March 2.—William Dworski, manager of Warners' Ohio, and city manager here, who resigned recently to return to his home in Hartford, Conn., has changed his plans and will take charge of Warners' 1,700-seat Palace, in Lorain, O. William Harrell, of the Ohio in Canton, succeeds Dworski here.

Altec, Williams in Deal

Mat Williams has appointed Altec Service to provide repair-replacement service for projection equipment in his five Interstate Enterprises theatres in southern Georgia. L. W. McClung negotiated for Altec.

To Improve Fox Denver

Denver, March 2.—The Fox Denver will have some $10,000 in new improvements made during the next few weeks, Manager Bernie Hynes has announced.

To Reopen California House

Antioch, Cal., March 2.—George Stamm of the El Campanile Theatre has completed plans to remodel and reopen the Casino Theatre here.

Rebuild California House

San Francisco, March 2.—T. & D. Jr. Enterprises, with headquarters here, is rebuilding the Madera Theatre in Madera, a valley town. The house was destroyed by fire.

Reopens Cincinnati House

Cincinnati, March 2.—Mrs. J. T. Crone, who closed the Ideal, neighborhood house, seven years ago when construction was started on the new Columbia Parkway, has reopened the house. The Columbia thoroughfare was completed recently.

Gore Opens Tampa House

Tampa, Fla., March 2.—Butler E. Gore has reopened the Howard here, as an outlet for Warner product, playing second run. The 700-seat house is a unit in Gore's Broadway Theatres, Inc.

Postpones Theatre Opening

Bristol, Conn., March 2.—Joseph Faith, of Terryville, Collinsville and Unionville, has postponed opening of the new 700-seat Bristol, Conn. house. Work has been delayed and opening is scheduled for some time in March.

Northio Shifts 2 Managers

Middleton, O., March 2.—Robert Peffley, manager of the Northio Sorg, has been transferred to the Strand, succeeding James Stamper, who takes over the Sorg.

Remodels Frisco Theatre

San Francisco, March 2.—Dan McLean has called for bids for complete remodeling of the downstairs section of his Embassy Theatre, including installation of new seats.

40th Anniversary

Reading, Pa., March 2.—Local 135, of the American Federation of Musicians, has arranged a celebration on March 16 at the Abraham Lincoln Hotel to mark its 40th anniversary. Fred W. Birnbach, national secretary, will make the principal address and it is expected that James C. Petrillo, international president, also will attend. Frank L. Diefenderfer is president of the local.

Schechter Author Of Book on Radio

A. A. Schechter, news and special events director for NBC, in collaboration with Edward Anthony, is the author of "Live On Air," published by Frederick A. Stokes Co.

Told in a series of dramatic anecdotes, the book gives a personalized account of the growth of one of the finest news gathering organizations in radio today. Whether it is a description of NBC scoring a scoop by telephoning directly to a judge presiding over an important case, a broadcast with singing mice, or the graphic, blow-by-blow description of the war in Europe, the tale is enlivened with a detailed record of names, places and misadventures in arranging the broadcast.

"Radio," says Schechter, "formulated its policies the hard way," and he illustrates with a story of a news flash that the dirigible *Macon* had crashed with an unknown number of dead. As the controls switched back to the interrupted program, an astounded radio audience heard Ben Bernie singing a line from a then-current tune, "Take a number from one to ten, double it and add a million."

Crosley Seeks to Halt Hazeltine Suit

Cincinnati, March 2.—The Crosley Corp. has filed motions in U. S. District Court designed to halt prosecution of nine suits by the Hazeltine Corp., Jersey City, N. J., charging infringements of as many patents on inventions of radio parts.

Dismissal of the bills is asked or an injunction to restrain prosecution of the suits until final determination by the U. S. District Court in Delaware of a cause involving the same companies and the same "subject matter."

Kyler Heads Wis. League of Stations

Janesville, Wis., March 2.—James F. Kyler, manager of WCLO here, has been elected president of the League of Wisconsin Radio Stations. Other officers named were the Rev. James A. Wagner, WTAQ, Green Bay; William Forest, WIBU, Poynette; George F. Frenchette, WFHR, Wisconsin Rapids, and H. J. Newcomb, WBJN, Racine, all vice-presidents. Ed Cuniff, WKBH, La Crosse, was elected secretary, and Hiram Born, WHBL, Sheboygan, treasurer.

"TOBACCO ROAD" ESTABLISHES THREE NEW MIAMI RECORDS IN DUAL OPENING!

Record Number ①

The biggest day's business ever done by the Lincoln and Surf Theatres combined!

Record Number ②

The biggest week-day's business in the history of the Lincoln Theatre!

Record Number ③

The third biggest day's business ever done at the Lincoln Theatre! (Opening day—Thursday—exceeded only by two Sundays!)

check! ✓

"TOBACCO ROAD" IS NOW THE MOTION PICTURE INDUSTRY'S GREATEST PROPERTY!

20th
CENTURY
FOX

RKO RADIO PICTURES

Thanks the Academy of Motion Picture Arts and Sciences on the occasion of its thirteenth Annual Awards

and again congratulates

GINGER ROGERS

For the Year's Best Performance in

"KITTY FOYLE"

RKO
RADIO
PICTURES

"REBECCA"

ACADEMY AWARD FOR THE
BEST PRODUCTION OF 1940

With gratitude to the
makers and voters . . .

David O. Selznick

13th Annual Award

ACADEMY of MOTION PICTURE ARTS and SCIENCES

The Outstanding Performance By an Actress

* * *

GINGER ROGERS

The Outstanding Performance
By an Actor

MY SINCERE THANKS

JAMES STEWART

War Has No Effect On Brazil Trade

WASHINGTON, March 2.—The European war has had little or no effect on the film industry in Brazil, according to a report to the U. S. Department of Commerce from Edward D. McLaughlin of the American Embassy at Rio de Janeiro.

However, the number of foreign films has decreased, and censor regulations have been tightened to eliminate anything considered objectionable to the nations at war. No legislation is contemplated to establish quota laws, which do not exist in Brazil.

In the period from Jan. 1, 1940, to Oct. 15, 1940, the report indicated that the censor examined 318 features, 581 shorts, 296 trailers and 140 newsreels. Ten films of all types were rejected—nine from the United States and one from England. The 1940 percentage of screen time in Brazil gives American product 90 per cent, France five per cent, and Germany, Argentine and Brazil five per cent.

Five domestic features were produced in Brazil from Jan. 1 to Oct. 5, 1940. Production costs vary from $7,000 and $15,000 per feature. The total Brazilian film investment is estimated at about $5,000,000. There are 1,350 theatres in Brazil. The average weekly attendance is estimated at 1,950,000. At least 1,200 theatres are wired for sound. Estimates place the yearly gross income of Brazilian theatres at from $10,000,000 to $15,000,000.

Selznick First to Win Two Consecutive Film Awards

David Selznick

HOLLYWOOD, March 2.—David O. Selznick has the coveted distinction of being the only producer in the history of the annual Awards of the Academy of Motion Picture Arts and Sciences to have won the outstanding award two consecutive years.

His production for United Artists release, "Rebecca," took the accolade among 1940 pictures, and for 1939 his film, "Gone With the Wind," produced for M-G-M release, virtually swept the awards listing.

Three Awards to Capra

The only man to have accomplished some sort of a similar record was that of Frank Capra, who directed films which took the outstanding film award in 1934 with "It Happened One Night," in 1936 with "Mr. Deeds Goes to Town" and in 1938 with "You Can't Take It With You." This was for direction and not production, and the winners did not strike consecutively.

An interesting comparison is to be had in the selection of the outstanding pictures of the past three years by the members of the Academy and the New York Film Critics. In 1940, while the Academy selected "Rebecca," the New York critics named "Grapes of Wrath"; in 1939, the Academy picked "Gone With the Wind" and the critics chose "Wuthering Heights," while in 1938 the Academy vote went to "You Can't Take It With You" and the critics named "The Citadel."

Wilson Speech Recalled

A sidelight on the address to the Academy Awards banquet in Hollywood by President Roosevelt via radio from the White House, was the historic fact that President Woodrow Wilson addressed a banquet of film notables at the Hotel Biltmore in Hollywood on the occasion of the launching of the Motion Picture Board of Trade. The date was Jan. 27, 1916.

Among the awards for 1940 were the following:

Bob Hope received the first award granted by the Academy for achievement in humanity. Hope was cited for his participation in 258 benefit performances during 1940, most of them in support of film charities.

Award for Army Work

A special award was also given to Major Nathan Levinson for his work with the U. S. Army Signal Corps in the production of training films for the Army. Levinson is director of recording for Warners and vice-chairman of the Academy's Research Council.

The award for the best musical score was made to Leigh Harline. Paul J. Smith and Ned Washington for "Pinocchio," Walt Disney film released by RKO.

Alfred Newman won the musical scoring award for "Tin Pan Alley," 20th Century-Fox.

The award for the best song went to "When You Wish Upon a Star," from "Pinocchio." Lyrics were by Ned Washington with music by Leigh Harline.

'Vivacious Lady' Reissue

"Vivacious Lady," with the Academy Award combination of Ginger Rogers and James Stewart, will be reissued by RKO, Andy Smith, sales manager of the company, announced over the weekend. Key city release will be March 28. The film was distributed three years ago.

Only House in Town

CINCINNATI, March 2.—Jerome M. Jackson, who operates the Jackson and Mt. Lookout, local suburbans, is building a 600-seat house at Williamsburg, O. The town has not had a theatre for two years since the one house there was condemned for theatre puproses.

Acquires Chicago House

CHICAGO, March 2.—Harry Neop, who recently sold the Lindy Theatre over the weekend, took over the Kimbark, formerly operated by Fecher and Nortman.

Thanks Everybody

PETE SMITH

ACADEMY AWARD
FOR ONE-REEL SHORT
"QUICKER'N A WINK"
MGM

Showmanship Flashes . . .

Two Contests Used On 'Philadelphia Story'

SYRACUSE, N. Y., March 2.—Frank Murphy of Loew's here, for his campaign on "Philadelphia Story," ran simultaneous contests in the Syracuse *Herald-Journal* and *Post-Standard* on "How to Turn Down a Man" and "Which Husband Would You Choose?" Cash and guest tickets were awarded to the winners.

Sleeping Girl Stunt Is Used on "Arise My Love"

Philadelphia, March 2.—A live window display was arranged with a neighborhood furniture store by Perry Lessy, manager of Warners' Lindley, for "Arise My Love." Free passes to the theatre were awarded to passersby guessing the correct time when a girl asleep in the store window, would awaken.

RKO Resemblance Contest Is "Kitty Foyle" Promotion

Harry Mandel, publicity director of RKO Theatres, has instituted a "Kitty Foyle" resemblance and white-collar girl contest in the Metropolitan area, to select the girl most like Ginger Rogers in the film, in each community. Women over 16 are invited to submit photographs, which are placed on a large board in the lobby of each RKO theatre. Patrons may cast ballots indicating their preference. Theatres in Greater New York and Westchester County are participating, with prizes offered for the final winners.

Phone Number Game Aids 'You're the One'

BALTIMORE, March 2.—Outside Keith's Theatre, where "You're The One" was showing, Manager Larry Schanberger placed a frame with descriptive matter explaining that 10 different telephone numbers painted thereon and changed each day, are selected at random from the phone book. If patron's number appeared, he telephoned the theatre and said, "I'm the One." In reply, pairs of tickets were sent.

Special Sundaes Are 'Strawberry Blonde' Stunt

BALTIMORE, March 2.—When "Strawberry Blonde" played here at Warners' Stanley, a chain of 47 drug stores featured "Strawberry Blonde" ice cream sundaes. Publicist Irving Martin has also provided the stores with a total of 6,000 photos of Olivia de Havilland imprinted on the back with name of the film and theatre and playdate.

Mayor's Cooperation Aids "Nellie Kelly"

WAUSAU, Wis., March 2.—As a plug for "Little Nellie Kelly," playing the Grand here, Manager Lawrence Beltz got Mayor August C. Polster to name Judy Garland honorary chief of police during the showing of the film. Also in connection with the showing of the film, a "courteous driver" movement was conducted with policemen giving admission cards to the Grand to courteous drivers spotted on city streets. The cards were signed, "Judy Garland, Honorary Chief of Police."

Congratulations to all of the
Academy Award Winners

◆

Of Course—

EASTMAN NEGATIVE

was used on both

"REBECCA" in black and white
and
"THE THIEF OF BAGDAD" in color

J. E. BRULATOUR

(INC.)
SOLE DISTRIBUTOR

Fort Lee • Chicago • Hollywood

Best Cartoon

"MILKY WAY"

My appreciation to the Academy for the award received for the best cartoon. I am deeply appreciative to Metro-Goldwyn-Mayer and to my co-workers whose cooperation and help made this award possible.

RUDOLF ISING

Our Sincere Thanks

VINCENT KORDA

Art Direction
(Color Film)

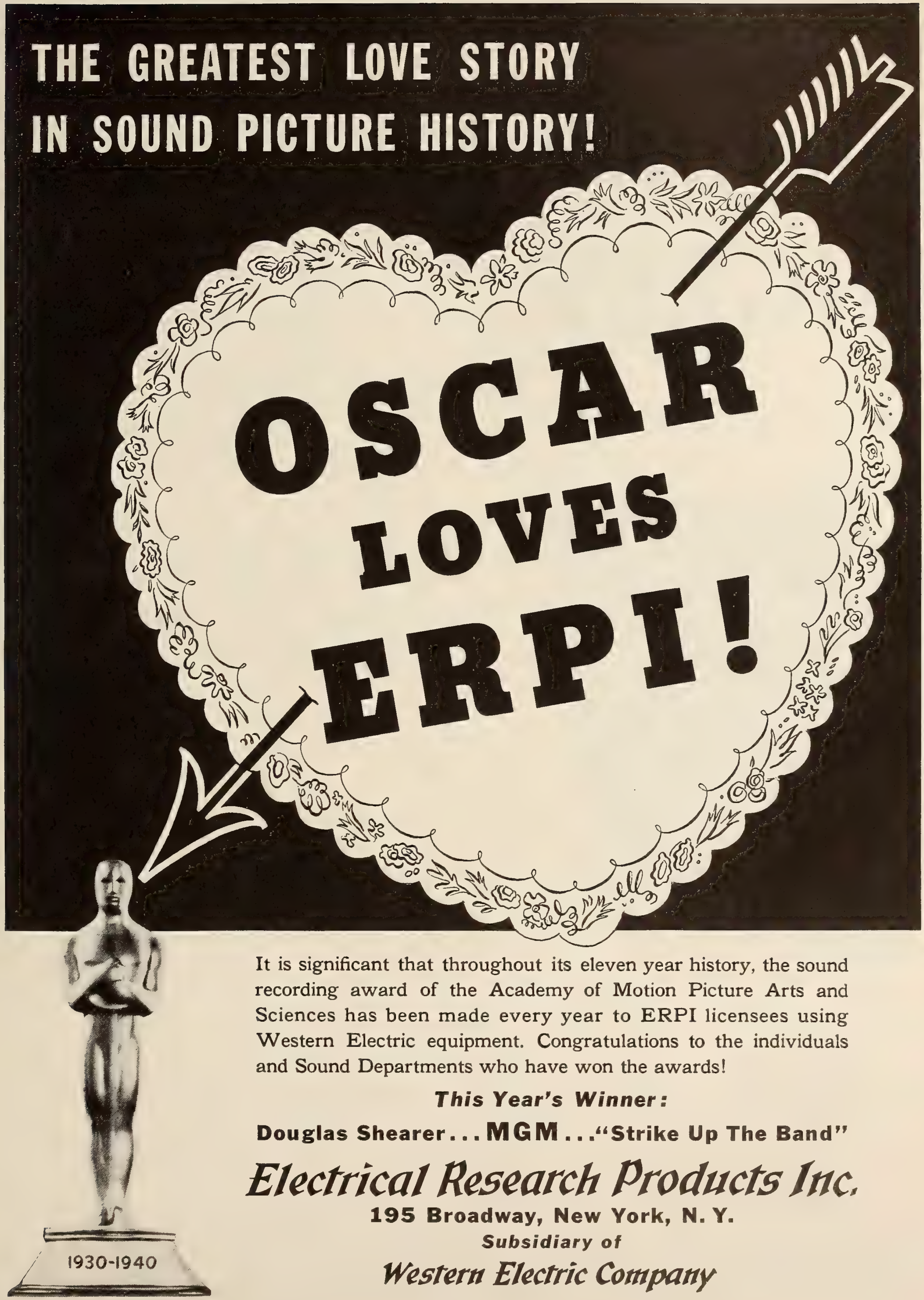
Award

"Thief of Bagdad"

LAWRENCE BUTLER

Special Effects
Award

"Thief of Bagdad"


THE GREATEST LOVE STORY
IN SOUND PICTURE HISTORY!
OSCAR
LOVES
ERPI!
1930-1940

It is significant that throughout its eleven year history, the sound recording award of the Academy of Motion Picture Arts and Sciences has been made every year to ERPI licensees using Western Electric equipment. Congratulations to the individuals and Sound Departments who have won the awards!

This Year's Winner:

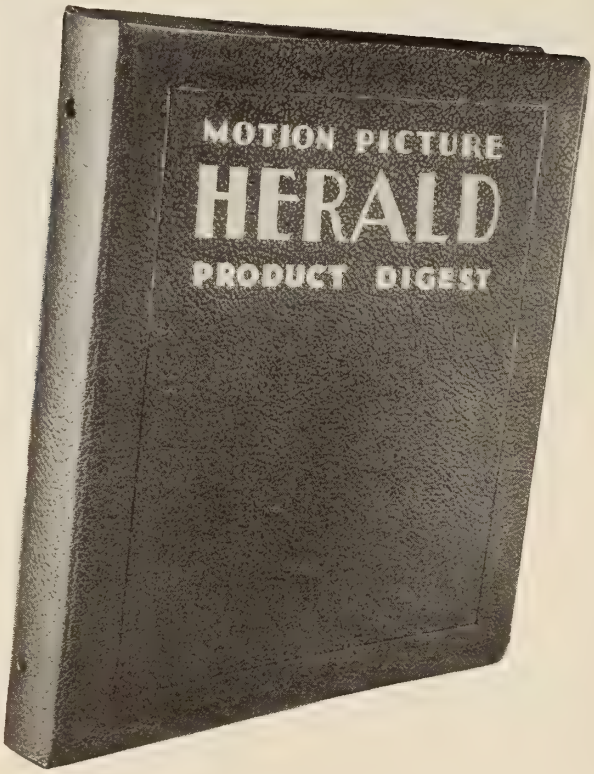
Douglas Shearer . . . MGM . . . "Strike Up The Band"

Electrical Research Products Inc.
195 Broadway, New York, N. Y.
Subsidiary of
Western Electric Company

Thousands of Theatres are using

PRODUCT DIGEST

PRODUCT DIGEST is MOTION PICTURE HERALD'S new and valuable exhibitor service section. It is a master index to all information available to date on 1940-41 product and provides synopses, casts, release dates, review dates, audience classification, Legion of Decency ratings, running time, production numbers and other information of inestimable value.



■ ■ ■ *and for your convenience*

THIS BEAUTIFUL RING BINDER AT ACTUAL COST PLUS HANDLING

A well known manufacturer of ring binders has agreed to furnish leather ring binders (11″ x 12⅝″) for the PRODUCT DIGEST section which appears in the MOTION PICTURE HERALD every other week at the actual manufacturing cost of 54c which includes handling charges.

54c

CANADA . . . $1.00

(This includes Canadian Sales and War Tax.)

MAIL COUPON TODAY

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK, N. Y.

Please send me a leather ring binder for the PRODUCT DIGEST section of MOTION PICTURE HERALD.

I enclose 54c covering the manufacturing cost, which includes handling charges. *(Canada $1.00 which includes Canadian Sales and War Tax.)*

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Address ....

City.. State.....................

Name of Theatre ....

Alert,
Intelligent
and
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

MR. MAURICE McKENZIE,
c/o MOTION PICTURE PROD. &
DIST. OF AMERICA, INC.
28 WEST 44TH ST.,
NEW YORK, N. Y.

NO. 43 NEW YORK, U. S. A., TUESDAY, MARCH 4, 1941 TEN CENTS

Yates Urges U.S. Hands Off Defense Films

Says Hollywood Can Make Them More Effectively

By LEE ROGERS

ATLANTA, March 3.—"There will be less chance of the pictures smelling of propaganda if they will only tell us what they want, and then let us make those films our own way," Herbert J. Yates, president of Consolidated Film Industries, said here today in referring to the use of the screen in the current national defense effort.

H. J. Yates

"The great danger will come from Army and Navy supervision of the

(*Continued on page 6*)

B'way Grosses Fair Despite Storm, Lent

Broadway weekend grosses showed improvement Saturday and Sunday after the severe snowstorm and gale Friday afternoon and evening, and despite the beginning of Lent.

The Paramount emerged with flying colors. "The Lady Eve" with Tony Pastor on the stage grossed an estimated $25,000 Saturday and Sunday and completes its first week tonight with about $55,000 expected.

"So Ends Our Night" and a stage show at the Radio City Music Hall also was strong, drawing an estimated $55,000 Thursday through Sun-

(*Continued on page 6*)

Gordon Gets Pact As Col. Producer

Max Gordon, producer of "My Sister Eileen," Broadway comedy, plans to leave Friday for the Coast under a contract with Columbia whereby he will produce the comedy for the screen, Columbia having purchased the play for a consideration which Columbia announced yesterday as $225,000. His contract also calls for his services as a producer of other films as well.

MPTOA National Convention June 2; Place Not Decided

The M.P.T.O.A. national convention has been definitely scheduled for June 2 to 6, but a final decision has not been made yet on the convention city, Ed Kuykendall, president, said yesterday.

Tentatively set for Los Angeles in May several weeks ago, Kuykendall said the decision to hold the convention during the first week in June instead was made when it was learned that a number of other conventions were already scheduled for May. Among them are the national Variety Clubs convention, the Society of Motion Picture Engineers and the Pacific Coast Conference of Independent Theatre Owners, the latter at Los Angeles.

Kuykendall said that several resort cities besides Los Angeles are under consideration for the M.P.T.O.A. convention. He expects final arrangements to be made within the next week or 10 days.

Kuykendall will leave for Washington tonight after attending a meeting of the theatres coordinating committee on national defense at Joseph Bernhard's office at Warners this afternoon.

Schaefer Appoints Armour Studio Aide

HOLLYWOOD, March 3.—Reginald Armour, formerly European manager for RKO, has been appointed by George J. Schaefer, RKO president, as his personal assistant at the studio.

B&K Starts New Ads in Chicago

Chicago, March 3.—A new type of advertising copy for Balaban & Katz, patterned after the Loew circuit copy designed and supervised by Oscar A. Doob, made its appearance in newspapers here yesterday. An increase of about 20 per cent in space over the previous type of ads is appearing in present insertions, but, according to B&K, this will be reduced shortly.

Ascap Decree Approval Due In Court Today

Federal Judge Henry W. Goddard indicated yesterday that he might give his formal approval to the consent decree which Ascap entered into with the Department of Justice some time today, despite objections which were made in court to the decree by Neville Miller, president of Broadcast Music, Inc., Ascap's chief competitor, and the National Association of Broadcasters. Objections by others were also rejected.

Miller's objections caused some consternation among observers, since the organizations which he heads and

(*Continued on page 6*)

Blue Law Fight Flares in Del.; Arrest Radio Official

WILMINGTON, DEL., March 3.—The only arrests in the entertainment field yesterday were those of Gorman Walsh, manager of WDEL and WILM here, and Harvey Smith, announcer, as enforcement agencies throughout the state cracked down in an effort to force repeal of the Delaware's 200-year-old Sunday Blue Laws.

The decision to enforce the law rigidly was taken after the House defeated a local option measure, following passage earlier by the Senate.

Theatres were not open yesterday but practically every other line of business was hit by the wholesale enforcement. The entertainment field drove the opening wedge in the legis-

(*Continued on page 6*)

Paramount Partners' Meeting in Chicago

CHICAGO, March 3.—Paramount theatre associates from the Midwest and Far West met here today to discuss operating problems and forthcoming product from all companies.

Leonard Goldenson and Sam Dembow, Jr., represented the Paramount home office. Others at the meeting were: John Balaban and Jules Rubens, Chicago; Harry Nace, Phoenix; Harry David, Salt Lake City; Earl Hudson, Detroit; A. H. Blank and Ralph Branton, Des Moines.

Goldenson will return to New York by plane Tuesday and Dembow will remain here for further conferences.

UA Never to Join Decree: Silverstone

Sees Youthful Viewpoint Improving Hollywood

By IRVING YERGIN

CHICAGO, March 3.—United Artists never will become a party to the Federal consent decree under which five companies will operate next season, Maurice Silverstone, United Artists chief executive, said yesterday while here en route to New York from the Coast.

Maurice Silverstone

Silverstone said that if film release conditions which prevail in Chicago were to spread to other parts of the country, producers would be forced to make fewer but better pictures. He referred to the circumstances which force some pictures into neighborhood "A" houses for their first runs because two B & K Loop houses are on extended run policies, making it impossible to clear all releases

(*Continued on page 6*)

Uptown, Detroit, Case Is Postponed

DETROIT, March 3.—The injunction suit of the RKO Uptown here aimed at United Detroit Theatres was adjourned today in circuit court until March 14. The RKO Uptown seeks to restrain Paramount, Loew's and 20th Century-Fox from licensing United Detroit houses as second runs, in alleged violation of the Uptown's second run contracts.

Three Reviews Today

Reviews of "Rage in Heaven," "Melody for Three" and "Murder Among Friends" are on Page 4.

Coast Flashes

Hollywood, March 3

REPORTS that certain extra players are petitioning the Department of Justice for an investigation to insure them a voice in the management of the Screen Actors Guild today brought from Kenneth Thomson, S.A.G. executive secretary, the statement that at any time the extras feel they would prefer to represent themselves in their own organization, they have the power to withdraw from the Guild.

•

Walt Disney Productions, Inc., today declared a quarterly dividend of one and one-half per cent, amounting to 37½ cents a share on the six per cent convertible preferred stock of $25 par value, payable April 1 to stockholders of record March 15.

•

William E. Raynor, Jr., today was appointed West Coast director of advertising and publicity for Producers Releasing Corp., replacing Edward Graneman. Raynor until now was Monogram press book editor.

Buffalo Complaint Brings Total to 18

The first arbitration complaint to be filed with the Buffalo tribunal, and the 18th for the 31 industry boards, was reported to American Arbitration Association headquarters here yesterday.

The complaint was brought by Richard DeToto, operator of the Genesee at Mount Morris, N. Y., against 20th Century-Fox and Warners. Asking that the two distributors be directed to license the Genesee for "some run," the complainant charges that this has been refused him for the past five months on this season's product. The competing Family Theatre, the complaint states, "has practically tied up all of the product of the two companies" in Mount Morris.

N. Y. Senate Passes Child Actors' Bill

Albany, March 3.—The Senate tonight unanimously passed a bill changing regulations concerning child actors under 16 years. The bill, sponsored by Sen. William H. Hampton, repeals the present penal statute and would substitute an enactment whereby permission for work by child actors is subject to written approval by boards of education and other authorized officials. The bill exempts minors appearing on radio amateur programs emanating in principal studios for not more than one hour a week.

Jack Simons Honored

Hartford, Conn., March 3.—Jack Simons, former manager of the Loew-Poli, promoted to Springfield, was honored at a farewell dinner at the Club Ferdinando here tonight, with Lou Cohen, his successor at the Loew-Poli, also as a guest. Harry Shaw, Lou Brown, managers from all Loew-Poli houses, and other theatres in Hartford were present.

Kreisler Joins U.A.

Samuel Kreisler, former newspaperman, has been added to the United Artists home office publicity department as a feature writer.

Personal Mention

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, leaves for the Coast tomorrow.

•

Walter Gould, United Artists foreign manager, returned yesterday from a vacation in Florida.

•

Hiller Innes, manager of Paramount's home office production department, leaves tomorrow for a vacation in Florida and the West Indies.

•

George Dembow, George Skouras, Lou Dreyfus, Dave Levy, George Weltner, John W. Hicks, Edward Saunders, Max A. Cohen and M. A. Schlesinger lunching yesterday at Nick's Hunting Room in the Astor.

•

Jack Cohn, Haskell Masters, Clarence Eiseman, Bernard Brandt, Martin Moskowitz and George Burns lunching at Lindy's (51st St.) yesterday.

•

Harry Buckley, Rube Jackter, Arche Mayer and Irvin Shapiro at Lindy's (next to the Rivoli) yesterday for lunch.

•

Lou Pollock, Hank Linet, Harry Thomas and Douglas Rothacker lunching yesterday at the Tavern.

•

Clarke Robinson and Louis Letito among those lunching at Sardi's yesterday.

HARRY SHAW, Loew-Poli division manager in New Haven, and Mrs. Shaw, celebrating their 17th wedding anniversary, sail for Panama Thursday on the *Cristobal.*

•

Felix A. Jenkins, general counsel for 20th Century-Fox, has arrived on the Coast.

•

J. J. O'Leary of the Comerford Circuit is recuperating from a minor operation at French Hospital here.

•

Ted A. Shaw, assistant to William C. Gehring, Central division manager of 20th Century-Fox, is vacationing in Atlantic City.

•

William Keegan, manager of the W. C. Hunt Theatres, Trenton, N. J., is back at his post after two months in Miami.

•

Mitchell Franklin of Franklin & Herschorn theatres, St. John, N. B., is visiting here and Boston.

•

Lawrence Ayres of the 20th Century-Fox distribution department reports tomorrow for military training.

•

Bud Freeman, manager of the Grand, Philadelphia, has entered Mt. Sinai Hospital there for an operation.

•

W. F. Keller, manager of the Earle, Allentown, Pa., is the father of a boy.

Group of Exhibitors Gets Trenton House

Trenton, N. J., March 3.—A new theatre company, comprising a group of local independent exhibitors, has been organized here for the operation of the Orpheum. Headed by Mrs. Helen B. Hildinger, New Jersey Allied leader, the new group was incorporated as the H. & L. Amusement Co,. with Frank P. Levy, treasurer; Isaac Levy serving as secretary, and Clark Hildinger and James Lamont as directors.

While the company will operate the single house only, the individual corporate members operate the Stacy, Bijou, Greenwood, Strand, Rialto and Princess here. Taking over the house on a 20-year lease, approximately $125,000 will be expended in modernizing the house and its adjoining stores.

Hempstead Here to Confer on Next Film

David Hempstead, producer of "Kitty Foyle" for RKO, arrived here yesterday from the Coast to confer with Ben Hecht on the script of "Journey Into Fear," by Eric Ambler, which Hempstead will produce next for RKO.

To Honor Lewis Swaab

Philadelphia, March 3.—The local industry will honor Lewis M. Swaab, a veteran of the industry, on April 5, marking his 75th birthday. Although retired, the veteran would have been in the business 44 years in April, having started back in 1897. On February 28 he and Mrs. Schwab celebrated their golden wedding anniversary.

Hal Roach Confers With John Balaban

Chicago, March 3.—Hal Roach, United Artists producer, and E. J. Peskay, his Eastern representative, stopped off here today to confer with John Balaban of B & K Theatres. They are en route to New York from the Coast.

From sources close to Roach, it was learned that Roach is still endeavoring to obtain industry support for his oft-expressed plan of making shorter features, such as three-reelers, for double-bill use.

Roach is due to arrive in New York tomorrow, having departed from here on the 20th Century train.

Will Show 'Topper' Here Next Tuesday

The United Artists-Hal Roach film, "Topper Returns," will be trade shown at 11:15 A.M. at the Astor Theatre here next Tuesday, March 11.

In addition to the 15 key city trade shows on the picture already announced, six in addition to the local showing have been set. They include: March 10, Park, St. Louis; Granada, Pittsburgh; March 11, Studio, Salt Lake City; Egyptian, Seattle, and Tower in Dallas; March 12, Alhambra in San Francisco.

Briggs Back from Coast

O. Henry Briggs, president of Producers Releasing Corp., returned yesterday from three weeks of conferences on the Coast. En route East he stopped off at exchanges in Dallas, Oklahoma City and Chicago.

Obituaries

Col. Branch Head Dies

Atlanta, March 3.—Walter W. Anderson, Sr., who was branch manager for Columbia here for the past 10 years, died yesterday following a brief illness.

Anderson was 52 years old and had been in the film business here for the past 20 years. He is survived by his wife and one son.

Mrs. Michael Shea Dead

Buffalo, March 3.—Mrs. Michael Shea, widow of the founder of Shea Theatres, died here yesterday after a protracted illness. She is survived by two brothers, John E. Carr, manager of Shea's Hippodrome Theatre, and Edward G. Carr of New York; two sisters, Eilzabeth Carr and Mrs. Edward Carney, and a daughter, Mrs. Emile Giffoniello. Funeral services will be held Wednesday. Burial will be in Mt. Calvary Cemetery.

Rites Held for Mrs. Davis

Atlanta, Ga., March 3.—Final services for Mrs. Thomas L. Davis, formerly of Philadelphia and wife of T. L. Davis, district sales manager for United Artists, were held yesterday at Sacred Heart Church. Burial was in West View Cemetery here.

Rites for Mrs. Aberman

Funeral services were held Sunday for Mrs. Esther Aberman, 56, mother of Sam Aberman of the Quigley Publications circulation department, who died early Sunday. Services were held at the Glassman Memorial Chapel and burial was in Mt. Carmel Cemetery, Brooklyn. She is survived by two daughters in addition to her son.

St. John Manager Dies

St. John, N. B., March 3.—James A. Golding, 39, of the staff of the Community here, is dead. He had been ill several months. He is survived by his widow and two children.

Party for Gell Today

W. Ray Johnston, president of Monogram, will play host this afternoon at the Hotel Warwick at a cocktail party for William Gell of Pathe, Ltd., London, who arrived yesterday by clipper plane after delays of more than a week en route. Gell is conferring with Johnston.

MOTION PICTURE DAILY

(*Registered U. S. Patent Office*)

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Follow the Leaders of the Industry!

HARRY WARNER
SPYROS SKOURAS
BOB O'DONNELL
HARRY ARTHUR
JOHN H. HARRIS
SAM DEMBOW, Jr.

have seen and enthusiastically booked this sensational motion picture scoop in their theatres..

THE GREATEST HEADLINE NAMES IN THE WORLD TODAY...TOGETHER IN ONE EXTRAORDINARY FILM!

DOROTHY THOMPSON

America's "First Lady of Journalism"; noted columnist and National Broadcasting Company's ace commentator.

WILLIAM L. SHIRER

Foreign correspondent; for many years Columbia Broadcasting Company's chief newsgatherer in Berlin.

WYTHE WILLIAMS

Commentator over Mutual Network; famous war correspondent, noted for his uncanny foreign affairs prophecies.

LINTON WELLS

Former United Press star reporter, famed for broadcasts from the Orient and other trouble spots.

in the First Round-Table of the Screen

International Forum

New! Timely! Different! Exciting!

THEY DARE SPEAK THEIR MINDS FRANKLY... *Uncensored!*

COLUMBIA PICTURES

A COLUMBIA SPECIAL 2-REEL PRESENTATION, FIRST OF A NEW SERIES • NO. 1 RELEASED NOW!
A William Rowland Production • Burnet Hershey, Supervising Editor

42 New Films Now Shooting; Nine Finished

HOLLYWOOD, March 3.—Forty-two pictures were before the cameras this week, as nine were finished and nine were started. Fourteen were being prepared, and 68 were in the cutting rooms.

The tally by studio:

Columbia

Finished: "She Knew All the Answers."
In Work: "Her First Beau," "Senate Page Boys," "Chain Gang."
Started: "Naval Academy," "Time Out for Rhythm."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde."
Started: "Washington Melodrama."

Monogram

In Work: "Tumbledown Ranch in Arizona."

Paramount

Finished: "One Night in Lisbon," "Kiss the Boys Goodbye."
In Work: "Caught in the Draft," "Skylark," "Pioneer Woman," "Nurses Don't Tell," "Hold Back the Dawn."
Started: "Night of January 16th."

RKO

In Work : "Sunny," "Before the Fact," "Tom, Dick and Harry."
Started: "My Life With Caroline."

Republic

Finished: "Mr. District Attorney," "In Old Cheyenne."
In Work: "Sis Hopkins," "Two Gun Sheriff."
Started: "Pals of the Pecos," "Rookies on Parade," "Lady from New Orleans."

20th Century-Fox

Finished: "The Cowboy and the Blonde."
In Work: "Blood and Sand," "The Great American Broadcast."

Universal

Finished: "Oh, Charlie," "Double Date."
In Work: "The Flame of New Orleans," "Unfinished Business," "Hit the Road," "The Black Cat."

Warners

Finished: "The Nurse's Secret."
In Work: "The Bride Came C.O.D.," "Affectionately Yours," "Sergeant York," "Three Sons O' Guns," "Highway West," "The Gentle People."

Bolognino-Joelson Deal Nearing Close

Deal by which Julius Joelson, former New York and New England circuit operator, would take over operation of Consolidated Amusement Enterprises from Laurence S. Bolognino is expected to be closed in the near future, it was indicated yesterday.

Principals in the negotiations said that discussions are continuing and will not be terminated until the latter part of the week.

Feature Reviews

"Rage in Heaven"

(M-G-M)

NOVELS by James Hilton in the past have made unusual film material and "Rage in Heaven," which was published in 1932, is no exception. For the author of "Goodbye, Mr. Chips" and "Lost Horizon" has traced the depraved working of a paranoiac's mind and W. S. Van Dyke II, who directed, has brought it to the screen in all its stark reality.

Robert Montgomery is the unfortunate, demented husband whose jealous furies drive him to suspect his devoted wife, Ingrid Bergman, and his closest friend, George Sanders. Together, the trio offer effective performances in this combination romance and horror story. Miss Bergman gives an excellent account of herself, adding new laurels to her career on the American screen.

Like other Hilton stories, "Rage in Heaven" should find a large audience, especially in the larger cities. The grimness of the story is hardly ever relieved by either humor or sentiment and the tenseness it created in a preview room was well indicated when a minor humorous incident drew a hearty laugh of relief near the end of the film.

Montgomery, who has lived under the influence of his mother, Lucille Watson, and his friend, Sanders, returns home to find Miss Bergman. Both he and Sanders fall in love with her but Montgomery wins her hand. After the marriage, however, Montgomery suspects that Miss Bergman and Sanders are still in love, and his mania compels him to attempt to murder both. When he fails, he contrives a fiendish scheme to commit suicide and plant a murder charge on Sanders. However, a psychiatrist solves the mystery for a satisfactory conclusion.

Gottfried Reinhardt, who produced, has provided an excellent supporting cast which includes, among others, Oscar Homolka, Philip Merivale, Matthew Boulton and Aubrey Mather.

Running time, 83 minutes. "A."* EDWARD GREIF

"A" denotes adult classification.

"Melody for Three"

(RKO-Stephens-Lang)

Hollywood, March 3

BY far the best of the "Dr. Christian" series being produced for RKO and excellent all purpose entertainment in its own right, "Melody for Three" is the sixth of the series of Jean Hersholt's cinematic portrayals of the kindly country doctor of River's End. This one has sustained human interest, comedy, and pathos wrapped up in a substantial story of universal appeal, as well as a musical background that is part of the plot. It is producer William Stephens' finest effort.

Chief figure is a film "find," 13-year-old Schuyler Standish, who plays the violin with rare feeling. In the story, the boy is reared by his mother, who divorced his father before he was born. The father, now a famous conductor, is hurt in an airplane crash at River's End, and the doctor brings the former wife and husband together. However, a misunderstanding occurs before the conductor can find out that the boy is his son. The physician takes the boy to Chicago and effects a complete reconciliation.

In addition, Stephens and Erle C. Kenton, the director, used stronger talent, supporting Hersholt and Maude Eburne, another cast regular, with Fay Wray, Walter Woolf King, Patsy Lee Parson, Astrid Allwyn and Andrew Tombes.

The CBS radio program featuring Hersholt as "Dr. Christian" is extremely popular.

Running time, 68 minutes. "G."* VANCE KING

"Murder Among Friends"

(20th Century-Fox)

A BLEND of comedy and mystery melodramatics, with Marjorie Weaver and John Hubbard playing the familiar amateur detectives, she the avid snooper and he a doctor who reluctantly permits himself to become involved, this is an engaging film whose comedy is satisfying and whose mystery is laden with suspense and at times exciting.

It has a cleverly intricate plot, and in his direction, Ray McCarey lays stress on the comedy and simultaneously develops the necessary tenseness in deft handling of the mystery.

Cobina Wright, Jr., has a relatively insignificant role but because of her social status it might be of value to mention her in promotional copy. Truman Bradley and Mona Barrie also are in support.

Running time, 67 minutes. "G."*

"G" denotes general classification.

Second Run First

Des Moines, March 3.—When "Night Train" opened in Tri-States' Paramount here, it was the first time a film had been shown in one of the circuit's first run houses after second run. The film originally was set for the suburban houses but its popularity made a larger house necessary, and it wa moved downtown to t Paramount.

Lloyd Film Will Open In Frisco Tomorrow

SAN FRANCISCO, March 3.—The Harold Lloyd production, "A Girl, a Guy and a Gob," released by RKO, will have a premiere at the Golden Gate Theatre here Wednesday evening, following a similar opening tomorrow evening at the Hawaii in Honolulu.

Lloyd will act as master of ceremonies at the opening here, introducing the stars of his film, who will make personal appearances. They will include Lucille Ball, George Murphy, Edmund O'Brien, Nancy Kelly, Desi Arnaz and Carl Brisson. The latter will be on the vaudeville bill. The film will begin its regular run at each theatre the day after the opening.

WB to Show Files in Phila. Trust Case

PHILADELPHIA, March 3.—Petition for a subpoena in the anti-trust suit of the Harrison Brothers, operators of the suburban Lansdowne, against Warner Theatres and major distributors, scheduled to be argued in Federal Court here today, has been withdrawn.

Joseph A. Ball, counsel for the plaintiffs, advised the court that the Warner counsel had agreed to produce certain requested records. The taking of pre-trial testimony has been set for next Friday. Those to be examined are Lester Kreiger, circuit booker; John Turner, assistant booker, and William G. Mansell, local exchange manager.

Legion Approves 8 Of 10 New Pictures

The National Legion of Decency has approved eight of 10 new films, six for all audiences and two for adults, and found the remaining two pictures objectionable in part. The films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Footlight Fever," "Meet Boston Blackie," "Melody for Three," "Nice Girls?", "Outlaws of the Rio Grande," "Prairie Pioneers." Class A-2, Unobjectionable for Adults—"Free and Easy," "Road to Zanzibar." Class B, Objectionable in Part—"The Lady Eve," "This Thing Called Love" (revised version).

Mitchell to Washington

CHICAGO, March 3.—Capt. Gordon S. Mitchell, U. S. Army Signal Corps Reserve and manager of the Research Council of the Academy of Motion Picture Arts and Sciences, passed through here today en route to Washington where he will show two Army training films made in Hollywood to ranking Army officers.

More Cheers!

FROM MEN
WHO KNOW BOX-OFFICE VALUES!

We've told you what David O. Selznick says. Now read what

LOUIS B. MAYER

Vice-President in Charge of Production,
Metro-Goldwyn-Mayer Studios, ***says:***

"I have seen 'CHEERS FOR MISS BISHOP'. Dick Rowland has made a MAGNIFICENT picture that should achieve outstanding business at the box-office!"

Richard A. Rowland
presents

Cheers for Miss Bishop

An Unforgettable Love Story

with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN · SIDNEY BLACKMER · DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists

Ascap Decree Approval Due In Court Today

(*Continued from page* 1)

which have been combating Ascap, a short time ago entered into a similar decree with the Department of Justice. The N.A.B. decree was to become effective when Ascap "signed."

Victor O. Waters, special assistant to the U. S. Attorney General, stated in court he was "at a loss" to explain this latest Miller attitude. Waters told the court that the Government considered the Ascap decree as following "very closely" the one entered into by Miller and his organizations.

Other objections were made by the New York League of Theatres and by Schroeder & Gunther, a publisher member of Ascap.

Miller's objections centered upon three phases of the Ascap decree. They were:

1. The continuation under the decree of long term, exclusive contracts between Ascap and its members.

2. The provision permitting Ascap licensees other than radio broadcasters to obtain commercial licenses on a per program as well as blanket basis, while this right is limited to sustaining programs when sought by broadcasters.

3. The requirement that Ascap members who license their works directly to users must turn over royalties so received to Ascap for distribution.

The latter provision, Miller said, "destroys the economic incentive for private licensing." The other provisions, unless corrected, he said, will fail to produce the results sought for the decree and also will place Government sanction on illegal practices of Ascap.

"The decree starts out to make Ascap a non-exclusive licensor," Miller said, "and ends by making it an exclusive licensor."

Waters indicated that the distribution by Ascap of royalties obtained from private licensing by its members was a safeguard adopted to prevent commercial agencies from invading the field. Judge Goddard observed to Miller that the arrangement was "a matter between Ascap and its members."

The New York League of Theatres asked that the decree be made to include a guarantee that Ascap would not interfere with the broadcasting of condensed versions of dramatic productions, and that Ascap be required to keep records of the number of times each of its songs is performed in order that producers of musical productions may have a basis for determining their share of publishers' royalties.

Judge Goddard reminded counsel for the League that a consent decree is "a decree consented to by the parties and is not dictated by the court."

Schroeder & Gunther petitioned for provisions which would permit more prompt election of Ascap directors by the membership, charging that under the method of election proposed by the decree it will take 12 years to elect an entirely new board.

The court indicated that it regarded the objection as being without merit.

Judge Goddard asked Waters why the provisions of the decree relating to Ascap licensees other than broadcasters do not become effective for nine months, while those relating to broadcasters will be effective in 90 days.

Waters explained that about 20,000 licensees have Ascap agreements which will expire at the end of the year and the deferred effective date was selected to avert "chaos" among these licensees.

In presenting the decree to the court Waters said that the Government recognized the necessity for the existence of a policing and collective bargaining agency like Ascap for copyright owners. However, he said, the Government took the position that Ascap had gone farther than necessary in carrying out these functions, and the decree is intended to correct the things which the Government believes are in violation of the Sherman Act.

Blue Law Fight Flares in Del.; Arrest Radio Official

(*Continued from page* 1)

lative fight to abrogate the ancient statutes, more than a year ago.

The House today without a dissenting vote strongly condemned yesterday's enforcement drive, which resulted in the arrest of 493 persons throughout the state. The House called it an attempt by State's Attorney General James Morford to "coerce the members into favorable action" on the Rinard bill to liberalize Sunday observance.

The House further resolved that it will take its time in deliberating the Rinard bill, which was restored to the calendar after its defeat, "even if it takes to the last day of the session." The Senate last Friday had passed a resolution directing the authorities to enforce the Blue Laws after the House defeated the measure.

Among the type of business which felt the effect of the enforcement drive were the operators of trolley cars, buses, operators of all types of commercial vehicles, milkmen, gas station attendants, drug stores, ice cream parlors, grocery dealers and even a strike picket and city workmen engaged in snow removal.

The police plan to continue their rigid enforcement until the old law either is changed or nullified. Violators face a fine of $8 or 24 hours in jail for driving a vehicle, and $4 fine or 24 hours in jail for other "worldly employment," including business operations.

Indiana Legalizes Sunday Night Sports

INDIANAPOLIS, March 3.—Sunday night baseball and ice hockey were legalized in Indiana in a bill passed by both houses of the legislature. Neither is expected to make serious inroads into the receipts of exhibitors, however.

A proposal to set up a state sales tax of 3 per cent, which would have applied to theatre tickets, apparently is abandoned.

B'way Grosses Fair Despite Storm, Lent

(*Continued from page* 1)

day. It will hold over. "Strawberry Blonde" with Raymond Scott at the Strand did about $21,000 Friday through Sunday. The film is now in its second week and will be held for a third.

Business at the Roxy with "Tobacco Road" and a stage show amounted to an estimated $19,000 Thursday through Sunday of its second week. "That Night in Rio" will open at the Roxy on Saturday, it is reported. "Back Street" completes its third week at the Rivoli tonight with an estimated gross of $16,000 expected. It starts its fourth and final week tomorrow.

"The Great Dictator" is reported by United Artists officials to have held up well at the Astor on its 20th week, which ended last night. "A Dangerous Game" opened at the Rialto yesterday, replacing "Meet Boston Blackie." The latter drew about $5,000. At the Globe, "Night Train" grossed an estimated $2,000 Saturday and Sunday.

Republic's Second Regional in Atlanta

ATLANTA, March 3.—Republic's plans for national advertising were outlined here today at the opening of the two-day regional sales convention at the Henry Grady Hotel. This is the second regional meeting, the first having been held last week in Los Angeles.

James R. Grainger, president, is presiding. In attendance are Herbert J. Yates, A. C. Bromberg, Southern franchise holder, and the following branch managers: Henry Glover, Atlanta; W. N. Snelson, Memphis; L. V. Seicshnaydre, New Orleans; J. H. Dillon, Charlotte; Harold Laird, Tampa. Also present are all members of the sales staffs of the Southern division branches.

Hands Off Defense Films, Yates Urges

(*Continued from page* 1)

production of these propaganda films," he said.

Yates, here attending Republic's Southern regional sales meeting, declared: "Men who know nothing about the film industry cannot be expected to direct propaganda."

Film studios are currently working out plans with Army and Navy officials for the production of propaganda pictures when this country goes to war, Yates asserted.

"Film representatives are seeking to learn just the type of pictures the services will wish produced in time of war emergency," he said.

Loretta Young Here

Loretta Young, Tom Lewis, her husband, and Judy, her adopted daughter, arrived from the Coast by train yesterday.

UA Never to Join Decree: Silverstone

(*Continued from page* 1)

through houses in the Loop area.

Discussing the recent Academy awards, Silverstone pointed out a marked change has occurred in the ages of leading Hollywood producers and directors during recent years, the average age of the leaders being less than it was a few years ago. With the change has come a fresh and youthful view which has resulted in better pictures, he said.

Charlie Chaplin will be in his next picture, Silverstone said. He conferred with Chaplin on the production while on the Coast, but would disclose no additional information about it other than it would be a comedy.

Silverstone had been on the Coast six weeks conferring with United Artists producers on plans for next season and with Samuel Goldwyn on his release from his United Artists distribution contract. An agreement in principle was reached with Goldwyn but has not been consummated as yet. Silverstone plans to return to the Coast in about two weeks.

Ericksen to New York To Confer on Program

HOLLYWOOD, March 3.—Clarence E. Ericksen, vice-president and general manager of Walter Wanger Productions, left for New York by train tonight to confer with Maurice Silverstone and Arthur W. Kelly on the 1941-'42 program. Ericksen also represents Edward Small and Sol Lesser. He plans to remain East a month.

Janitors in Chicago Sign New Agreement

CHICAGO, March 3.—The local unit of the Theatrical Janitors' Union has signed an agreement with all local houses, independent and circuit, which calls for a salary increase of five per cent, according to Thomas Burke, secretary-treasurer of the union.

The new contract, retroactive to Jan. 1, 1941, also provides for a six-day, 40-hour week and one week's vacation with pay. The pact expires Feb. 28, 1942, when a new contract automatically will become effective, calling for an additional five per cent salary increase.

Iowa I.T.O. Meeting Scheduled Monday

DES MOINES, March 3.—The Independent Theatre Owners of Iowa and Nebraska plan to hold their annual meeting here next Monday and Tuesday.

Election of officers and the numerous bills affecting theatres that have been proposed in the legislature will be the main business of the meeting. Leo F. Wolcott of Eldora, Ia., is president of the organization.

Short Subject Reviews

"Adventures of Captain Marvel"

(*Republic*)

A 12-EPISODE serial based on the character currently appear[illegible] in *Whiz Comics Magazine*, the "[illegible]ventures of Captain Marvel" should prove popular with devotees of the serial adventure story. In addition to the customary excitement attendant upon masked figures and machines for making gold, the "superman" character is still enough of a novelty to add an extra touch.

When young Billy Batson (Frank Coghlan, Jr.), a member of an expedition into Siam, refuses to violate the tombs of an ancient Scorpion Dynasty, he is rewarded by being given the power to transform himself into Captain Marvel, a superman, played by Tom Tyler. The hero switches from Coghlan to Tyler as the occasion demands. Excellent effects are obtained for scenes showing Tyler flying through the air. The expedition finds a machine for making gold, but its parts are divided among members of the party. A masked figure attempts to steal the parts.

Hiram S. Brown, Jr., was associate producer and William Witney and John English directed. The cast includes William Benedict, Louise Currie, Robert Strange, Harry Worth, Bryant Washburn, John Davidson and others. Running time, first episode 31 mins., others 19 mins.

"International Forum"

(*Columbia*)

This is the first of a new series of film round-table discussions of world events by radio commentators and newspaper columnists. It offers the views of Dorothy Thompson, Wythe Williams, William L. Shirer and Linton Wells on America's danger from Nazism and what they believe should be done about it.

A more vital production might have been achieved had the views of all four commentators been more dissimilar than they are. At the same time, such a presentation would have contributed to making the discussion more of a forum and less a one-sided discussion of the subject now under debate in Congress. Despite its general interest and outspokenness, there may be audiences which will receive it as propaganda rather than an informative discussion of international affairs. William Rowland produced and directed. Running time, 16 mins.

Named Club Delegates

DETROIT, March 3.—Charles C. Perry and John Howard have been elected by the local Variety Club as delegates to the national convention in Atlantac City in May. The club held its annual circus on Saturday, with William Carlson in charge of arrangements.

Whale, Boyds Here

James Whale, Warner director, arrives from the Coast today on the United States liner, *America*. Also arriving are William Boyd, Paramount Western star, and Mrs. Boyd.

Studios Swing Into Final Quarter of This Season

Hollywood, March 3

ASSIGNMENT of name players to roles in new vehicles made the week's biggest production news, as studios prepared to swing into their final quarter of 1940-'41 product. Twentieth Century-Fox borrowed RITA HAYWORTH from Columbia for a role in "Blood and Sand," TYRONE POWER vehicle, while Columbia assigned her to "Our Wife," JOHN M. STAHL production. Twentieth Century-Fox also borrowed WALTER PIDGEON from M-G-M for "Man Hunt," in which GEORGE SANDERS also will be featured. MILTON BERLE and JOAN DAVIS drew the comedy team assignments in "Sun Valley," SONJE HENIE picture.

• •

Warners set Bette Davis to star in "The Gay Sisters," from the Stephen Longstreet novel. Errol Flynn, to star in "Dive Bomber," before "They Died With Their Boots On," will be supported by Fred MacMurray, borrowed from Paramount by Warners.

• •

RIO RITA, dance band leader, has been signed by Paramount for "Aloma of the South Seas," starring DOROTHY LAMOUR and JON HALL. On the screen she will be known as RITA SHAW. RUDY VALLEE and JOHN BARRYMORE are being sought by Paramount for "World Premiere," according to SOL C. SIEGEL. The story deals with the Hollywood custom of gala openings for pictures. FREDDIE BARTHOLOMEW and JIMMY LYDON have been set to head the cast of "Naval Academy," at Columbia, while LYDON and CHARLEY SMITH are Paramount's new "Henry Aldrich" and "Dizzy," respectively, in the Aldrich Family series there.

• •

JACKIE COOPER and EDDIE BRACKEN who played the roles in the first two Aldrich pictures have been dropped, the former because he had outgrown the role and the latter because he is too busy with other film commitments. Columbia also signed GLORIA DICKSON, once under contract to Warners, for the feminine lead in "Chain Gang." Monogram is seeking PETER LORRE for the lead in "King of the Zombies," which LINDSLEY PARSONS will produce, and has signed BELA LUGOSI for "Murder by the Stars," another horror picture.

• •

KENT TAYLOR draws the role of a tabloid newspaper editor in M-G-M's "Washington Melodrama." Given a term contract by Republic, RAY MIDDLETON, singer, goes into "Lady from New Orleans," starring JOHN WAYNE and ONA MUNSON. BOB CROSBY has been held for another picture by Republic. RKO assigned JAMES CRAIG and ANNE SHIRLEY for the romantic leads of "A Certain Mr. Scratch," which will star THOMAS MITCHELL and WALTER HUSTON. JUNE PREISSER, released by M-G-M, has been signed by Paramount.

• •

Recent story buys include M-G-M's purchase of "The Road Away From Home," original by RICHARD ENGLISH and CLIFFORD DOWDEY dealing with conflict between western settlers and a big mining company; "The Dam," by LESTER COHEN; "Johnny Eager," by JAMES EDWARD GRANT about Chicago's underwold, and "Odor of Violets," novel by BAIRD KENDRICK of a blind war veteran who with the aid of a "seeing eye" dog, takes up detection of crime. EDWARD ARNOLD will be starred in the latter.

• •

Paramount has bought "Cupid with a Beard," original by Michael Uris, as a vehicle for Bing Crosby; and "War Town," by Sidney Biddell, which concerns the overnight building of a sleepy village to a metropolis by the influx of defense workers. Fred MacMurray, Dorothy Lamour and Brian Donlevy are tentatively set for top roles. The Crosby vehicle has a Latin American background.

• •

"Journey Into Fear," novel by ERIC AMBLER of espionage in Turkey, and "Joan of Paris," original by JACQUES THIERY and GEORGES KESSELS of present day Paris, have been acquired by RKO as possible MICHELE MORGAN vehicles. "In This Our Life," novel by ELLEN GLASGOW dealing with distinguished Virginia families, was purchased by Warners, possibly for ERROL FLYNN and OLIVIA DE HAVILLAND. Monogram Producer E. B. DERR acquired JOHN T. NEVILLE'S "I Give My Life."

• •

RENIE RIANO goes into Warners' "Affectionately Yours" . . . GEORGE BATCHELLER, production supervisor for Producers Releasing Corp., has added "The Confession," from the play, to the company's production schedule. T. H. RICHMOND'S next picture for the company will be "South of Panama," spy melodrama by SIDNEY SHELDON and BEN ROBERTS. . . . Columbia has changed the title of "Show Business" to "Time Out for Rhythm". . . . A Cincinnati secretary, KAY HARRIS has been signed by Columbia for the title role of "Tillie the Toiler."

Free Board

Chilton, Wis., March 3

HERBERT GRAEF, manager of the Chilton, plugged "Come Live With Me" by inserting a newspaper advertisement as follows: "HUSBAND WANTED: Young man, neat and attractive to become a husband of convenience for a beautiful Viennese refugee who wishes to avoid deportation due to the present war conditions in Europe. He will be given a comfortable income and maintained in a very comfortable home. All applicants should call Chilton No. 6, any time after 6 P.M." The stunt, said Graef, created "considerable comment."

"A MAN BETRAYED"

"Father, why did you look so funny when I said 'by hook or crook'?"

"You're just imagining things, honey."

A NATIONALLY ADVERTISED REPUBLIC PICTURE

JOHN WAYNE · FRANCES DEE

EDWARD ELLIS

WALLACE FORD · WARD BOND · HAROLD HUBER

ALEXANDER GRANACH · JOHN H. AUER—Director

8 NBC Shows Are Cancelled; P & G Drops 5

Eight NBC shows have been canceled effective during this month. Proctor & Gamble has canceled five of its programs. They are "This Small Town," "Pepper Young's Family," "Vic and Sade" and "The Story of Mary Marlin," all heard Mondays through Fridays between 10 and 11 A.M. over the Blue network, and Arch Oboler's "Everyman's Theatre" heard on the Red Fridays, 9:30 to 10 P.M. The cancellations are effective after March 28.

Also canceled are the Burns & Allen show for the George A. Hormel Co. on behalf of Spam, heard Mondays on the Red, which will wind up its season on March 24; "Wake Up and Sing," sponsored by Vick Chemical Co. on a Pacific Coast Red hookup, effective after March 28; and "The Piso Co.," sponsored by the company of the same name, which was formerly heard over WJZ Mondays through Saturday. The last named program was cancelled as of yesterday.

"Cavalcade of America," sponsored by E. I. du Pont de Nemours Co., will move into the 7:30 to 8 Monday evening spot vacated by the Burns & Allen program. At present "Cavalcade of America" is heard Wednesdays at the same time.

Radio Chain Report Action Faces Delay

WASHINGTON, March 3.—There will be no quick action by the Federal Communications Commission to dispose of the radio monopoly report, it was asserted today by Chairman James L. Fly in disclosing that the legal division's report on the subject of chain broadcasting will be taken up for consideration next week.

First discussions of the report, the chairman said, will be purely exploratory and nothing definite probably will be done for some time, until all members of the commission have had an opportunity to make a thorough study of the legal division's findings.

Phila. Station Signs 3-Year A. C A. Pact

PHILADELPHIA, March 3.—WFIL has signed a three-year closed shop agreement with the American Communications Association, governing the station's engineers. The contract provides for 10 per cent wage increases and minimums of $43 and maximums of $75 weekly, plus 10 per cent bonus for night work. The contract also provides for severance pay, sick leave and seniority rights.

Plan Summer Concerts

PHILADELPHIA, March 3.—The way was smoothed for another Summer season of outdoor concerts at Robin Hood Dell this season when the local musicians union and the Dell management settled differences and signed an agreement calling for a seven-week season, providing 28 concerts between June 19 and Aug. 8 with an orchestra of 90 men.

Off the Antenna

THOSE magnetic storms cropped up over the weekend and radio engineers again found short wave communication considerably jammed. Reception from Europe was impossible most of the time although there were several clear periods. While the storms lessened in intensity yesterday, engineers reported that they will continue well into April with varying degrees of interference. These storms are not related to the difficulty created by sunspots last year, it was said. Magnetic storms, it appears, are caused by the Northern Lights but there are different theories for their occurrence and nobody knows what to do about them.

• • •

Purely Personal: *Thomas D. Connolly, CBS director of program promotion, will address the Advertising Club at Columbus, O., Friday. . . . Gregory Centola, of WMCA's production staff, who was married recently to Derva Nappo, is on a honeymoon in Washington. . . . Wyllis Cooper will be guest on "Behind The Mike" over NBC-Blue Sunday. . . . Jane Pickens and her press agent, David O. Alber, will be guests on "On the Cuff" over WINS at 1 P.M. today. . . . Lisa Sergio will celebrate the second anniversary of "Column of the Air" on WQXR Thursday.*

• • •

WQXR has named the Foreman Co., Chicago, as its national sales representative. Hugh Kendall Boice, vice-president in charge of sales, made this announcement yesterday.

• • •

Philip L. Barber, who has been in charge of foreign press and foreign station relations for NBC's short wave international division, has been granted a leave of absence to join the Nelson A. Rockefeller Committee on Cultural and Commercial Relations with Latin American Republics.

• • •

Around the Country: *Carl "Deacon" Moore, orchestra leader, has been added to the WLW, Cincinnati staff. . . . Robert Dunville, WLW sales manager, has been promoted to general sales manager for all Crosley stations. He will be succeeded in his sales post by Harry Mason Smith of the Crosley New York offices. . . . Arden X. Pangborn, managing editor of the Portland Oregonian has assumed his new duties as managing director of the paper's stations KGW and KEX there. . . . WFBM, Indianapolis, has added Lee Harris to the sports department.*

Women's Club Hits Phelps' Radio Bill

ALBANY, March 3.—The efforts of Senator Phelps Phelps, New York radio commentator, to bar from broadcasting any statement tending to create hatred because of race, color, religion or manner of worship came in for a blast in a pamphlet sent members of the legislature over the weekend by the Women's City Club of New York.

The women's group, stating that the Phelps measure is along the lines of the bill which has worked so successfully in New Jersey, admires the ends but is afraid the threat to democracy from a fifth column cannot be overcome "by subscribing to prohibitive legislation which is so drastic as to undermine democracy itself."

Phelps asserted that nine Nazi Bundists have been convicted due to violations of broadcast laws inspiring hatred and said passage of this bill in New York would materially assist broadcasters in rejecting subversive scripts which they now occasionally must accept.

Taylor Reelected NAB District Head

SAN ANTONIO, March 3.—O. L. Taylor, president of KRVG, Amarillo, was reelected for the third time as director of the 13th district of the National Association of Broadcasters at the annual conference at the Gunter Hotel here. The meeting also supported the broadcasting industry in its fight with Ascap.

Changes Sunday Policy

CRESCO, IA., March 3.—Central States' Cresco Theatre here has changed its policy, running continuous shows from 2 P.M. until 11:30 P.M. on Sunday. Prices will be 30 cents until 6 .M. and 35 cents for evenings.

AFM Sifts Cases in AGMA Dispute

The American Federation of Musicians, in enforcing its rule against instrumentalists who refuse to join the union, will act in accordance with the requirements of each individual case, Henry A. Friedman, A.F.M. attorney, declared yesterday. This attitude was made necessary because the A.F.M. did not wish to cause interference with existing contracts or unnecessary hardships, Friedman explained.

The American Guild of Musical Artists is scheduled to meet today to consider its next move. The March 1 deadline which was set by James C. Petrillo, A.F.M. president, for all AGMA instrumentalists to join his own union, passed over the weekend with at least one important defection from AGMA's ranks. Albert Spalding, violinist, resigned from the Guild to join the A.F.M., although the latter union does not require resignation from the Guild.

Efrem Zimbalist, violinist, who will conduct a symphonic orchestra in Philadelphia shortly, also joined the A.F.M. This procedure would have been necessary even in the absence of a jurisdictional dispute between the two unions. Announcement was also made of Jose Iturbi, pianist, joining the A.F.M. but AGMA spokesmen pointed out that Iturbi, as an orchestra conductor, had been an A.F.M. member for some time.

Liberty Cancels Heatter Program

Liberty Magazine **has cancelled its Thursday and Saturday sponsorship of Gabriel Heatter's talks over Mutual, and two of his present sponsors are taking over the periods. Zonite Products, which sponsors him on Mondays, will take over the Thursday show in addition, and R. B Semler, for whom he is n heard Wednesdays and F days, has added the Saturday program.**

F.C.C. Again Will Inspect Television

WASHINGTON, March 3.—All five members of the Federal Communications Commission and several of its staff will go to Philadelphia Thursday and New York the following day for another inspection of television developments, it was disclosed today by Chairman James L. Fly.

In Philadelphia, Fly said, the Commission will inspect the Farnsworth-Philco synchronization pulse development and in New York will study the line experiments of the Bell Laboratories and DuMont's work on frames.

Synchronization is one of the principal problems which require solution before television standards can be fixed, it was indicated by Fly when he heard the informal report of the National Television Systems Committee in January. The Philco development is a synchronizing pulse which is transmitted by FM in combination with the AM transmission of the rest of the television signal.

Television Officials Optimistic on F.C.C.

Television officials who have been studying the proposed rules promulgated last week by the FCC are optimistic about the March 20 hearing which will decide the fate of the new art. It was pointed out that the FCC had gone to considerable pains to prepare these rules and that it was not likely that the commission would have done so if it had planned to hold up television because of the national defense program.

Although the restrictions on the aluminum supply may prove a handicap, substitutes are available, it was pointed out. As for the factories' preoccupation with defense contracts, it was said that if every factory interested in television should manufacture only a small number of television receivers, the total supply would be likely to meet the demands of the near future.

Four Firms Chartered

ALBANY, March 3.—Four new companies incorporated here include: M & M Amusement Co., by Myron J. Glantz, Benjamin Davidson and Annette Graifer; Wellman, Inc., by Bern Barnard, L. Arnold Weissberger and William Herz; Morris Park Amusement Corp., by Marion Lehrfield, Mildred Miller and Florence Brown, and Affiliated Producers Corp., by David Freenan and Henry Cohen. All are New York City companies.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 49. NO. 44 NEW YORK, U. S. A., WEDNESDAY, MARCH 5, 1941 TEN CENTS

Financing Plan Considered for UA Producers

Silverstone Also Reveals New Bonus Method

By SHERWIN KANE

Maurice Silverstone, chief of world-wide operations of United Artists, at a press interview held in his offices at the company's headquarters, revealed yesterday that he is prepared to sponsor a new bonus plan and that a new financing plan for outstanding producers who seek to be associated with the company is also under consideration. This new plan, which he has worked out with certain "prominent West Coast financiers," Silverstone stated, will be presented to the United Artists board within the next month, after he returns to the Coast. He arrived here from the Coast on Monday.

No further details of the plan were disclosed by Silverstone. He indicated that under the new plan, as

(*Continued on page* 6)

New U. A. Program Set in Two Weeks

Maurice Silverstone said yesterday that the complete United Artists lineup for 1941-'42 will be ready in about two weeks, and numerically will not vary importantly from the 22 announced for this season.

The program will be ready in time for the company to hold its annual sales convention considerably earlier than usual, in the event that Arthur W. Kelly, United Artists distribution head, believes it desirable to begin new season selling earlier this year be-

(*Continued on page* 6)

'Wings' to Open at Astor on March 26

Paramount's "I Wanted Wings" will have its world premiere at the Astor on Broadway March 26. It will play a road show, advanced price engagement at the house, according to Neil F. Agnew, vice-president in charge of sales.

Stars of screen, stage and radio will attend the opening, as well as Government officials and Army and Navy officers. Several additional road show engagements will be scheduled shortly in key cities.

Selznick Italy Deal To Benefit Britain

Winthrop W. Aldrich, president of the British War Relief Society, announced yesterday that $25,650 which Selznick International received from Italy from the sale of "Rebecca" and "Intermezzo" has been contributed by the company to the fund for the purchase of small ships designed as sea ambulances which will be used in rescuing the victims of Axis submarine warfare.

Carr in Charge of Monogram Lineup Of 50 Next Season

Trem Carr will be in charge of Monogram's new season production schedule of 26 features and 24 Westerns, returning to the company as its production head after a two-year absence, W. Ray Johnston, Monogram president, stated yesterday.

Scott Dunlap, former production head, will continue with the company

(*Continued on page* 6)

'U' OFFICIALS GET 7-YEAR CONTRACTS

'U' Profit Position Is Cited by Cowdin

J. Cheever Cowdin, chairman of Universal Pictures Company, Inc., and Universal Corp., made the following statement yesterday in regard to the new management employment contracts authorized for the senior operating officials:

"The contracts, in most instances, represent a five-year extension of the periods for which these men are currently under contract to the Universal companies.

"This will assure continuity of the executive management which has been responsible for increasing gross sales from $18,150,876 to $27,677,627 in the last three years and, in the same period, has converted a net loss of $1,084.999 into a net profit of $2,390,722."

Management Continuity Assured; Leo Spitz Negotiated Pacts

N. J. Blumberg

In order to assure the continuity of the present management headed by Nate J. Blumberg, president, and J. Cheever Cowdin, chairman, under whose direction Universal was brought back from the red into a profitable concern, they and five other senior executive operating officials are to be awarded new seven-year employment contracts, retroactive to Jan. 1, 1941, it was announced yesterday.

These new contracts represent an extension of five years in most instances of the existing arrangements between these officials and the company. Attorney Leo Spitz represented the management in the negotiations on the contracts. The new contracts will be submitted to stockholders for approval at Universal's annual meeting in Wilmington, Del., on March 15.

Others who are to be awarded similar contracts are Charles D. Prutzman, vice-president and general counsel; Clifford Work, vice-president in

(*Continued on page* 6)

Agreement Banning 'Stars' Abandoned

The "gentlemen's agreement" in effect for the past three years whereby major companies pledged not to use film critics' "star" awards and other symbols in their advertising has been abandoned, due to the inability to obtain full adherence to it by all Broadway houses. The M.P.P.D.A. Advertising Advisory Council has advised all member company advertising directors that they are free to use these symbols if they wish.

Goddard Approves Ascap Decree Without Change

Overruling the objections of the National Association of Broadcasters and the League of New York Theatres, Federal Judge Henry W. Goddard yesterday signed the consent decree in the Government's suit against Ascap. Judge Goddard, who had indicated at Monday's hearing that he would sign the decree, made no changes in the document as it was presented to him.

No further progress was made, however, in the settlement of the dispute between the society and broadcasters. N.A.B. offices would not comment in the absence from the city of Neville Miller, president. However, Miller had previously stated that negotiations would not start until Ascap prepared a contract based on a "per program" charge instead of a blanket license.

Meanwhile, a BMI spokesman declared that his organization had 20 days after receipt of a certified copy of the Ascap decree to accept or reject it. Under the terms of the decree signed by BMI, it did not be-

(*Continued on page* 7)

S.E.C. Report Shows Loew 1940 Salaries

A total of $16,104,869 was paid to 228 Loew executives for the year ended Aug. 31, 1940, an S.E.C. report filed with the New York Stock Exchange revealed yesterday. Louis B. Mayer, vice-president in charge of production, received $697,049 and Nicholas M. Schenck, president, $318,882. Mayer received $541,049 of the total as his share of the profits. He received $688,369 during the previous year, of which $541,119 represented a share of profits.

Other salaries and bonuses reported were: Hunt Stromberg, $332,267; J. Robert Rubin, $128,070; David Bernstein, $113,329; E. J. Mannix and Sam Katz, $96,356 each.

Universal filed a report for the year ended Oct. 31, 1940, showing payments to W. C. Fields of $255,000; Deanna Durbin, $209,833, and Bing Crosby, $150,000.

20th Anniversary

Toronto, March 4.—A gala occasion was the 20th anniversary of the opening of the Palace, in Toronto's East End, under the continuous management during the score of years of C. L. Querrie, former famous Canadian athlete and owner of a professional hockey club. The theatre is a part of the Famous Players Canadian Circuit.

All Amusements Aid Greek Relief Show

All branches of the amusement industry are cooperating in the midnight benefit show for Greek relief, known as the Greek Festival for Freedom to be held at the Radio City Music Hall March 28.

Marvin Schenck, head of the production committee in charge of the show, declared yesterday that tickets will be scaled from $1 to $10. The show will be sponsored by the Amusement Industry Division of the Greek War Relief Association, of which Adolph Zukor is chairman. W. G. Van Schmus, managing director of the Music Hall; Gus Eyssell, his assistant, and other theatre executives are cooperating.

Starts Stage Shows

BUFFALO, March 4.—The Hippodrome has started a new policy with a stage show, the first in many years.

Personal Mention

LEO SPITZ leaves tonight for California.

•

A. A. SCHUBART, manager of exchange operations for RKO, is visiting exchanges in Chicago, Indianapolis and Kansas City.

•

W. M. HORNE, circuit contact representative for RKO, is on a two-week vacation cruise in the Caribbean.

•

CLIFFORD JOHNSON, operator of the Lyric in downtown St. Louis, is the father of a son, born late last week.

•

TRACY BARHAM, general manager of Northio Theatres, Cincinnati, is vacationing in Florida.

•

LEON LEONIDOFF, ERNO RAPEE, WILLIAM F. RODGERS, CHARLES E. MCCARTHY, OSCAR DOOB, RALPH AUSTRIAN and JOHN W. HICKS lunching at Nick's Hunting Room in the Astor yesterday.

•

KAY KAMEN, SAM GOODMAN, CLARENCE EISEMAN, CHARLES STERN, JOHN BOLES, JACK PEARL and GEORGE GIVOT having lunch yesterday at Lindy's (51st St.).

GEORGE P. AARONS, secretary and counsel for U.M.P.T.O. of Philadelphia, has left with MRS. AARONS for a vacation in Hot Springs, Ark.

•

GUY D. HAMMITT, exploitation manager for Vonderschmitt Amusement Enterprises in Crawfordsville, Ind., and LEOMA G. WALDEN were married late last week.

•

JACK FURSCHA of the Bell Theatre, Scranton, and PAUL HAGEN, employed in the Comerford Circuit office in Scranton, were given a farewell dinner before their departure for Army training.

•

L. W. CONROW, president of Altec, has returned from the Coast.

•

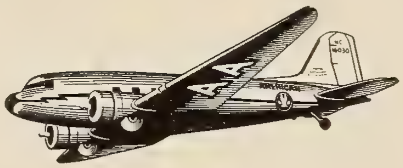
ABE MONTAGUE, MAX WEISFELDT AL MARGOLIES, MONROE GREENTHAL and JOHN WRIGHT at Lindy's (next to the Rivoli) yesterday for lunch.

•

MAURICE SILVERSTONE, MOE STREIMER, LEON LEVENTHAL, ARTHUR KELLY, ROBERT STOLZ, JOSEPH BURSTYN, WALTER FUTTER and PHIL BAKER having lunch yesterday at the Tavern.

N.O. Exhibitor Dies

NEW ORLEANS, March 4.—Alexander Schulman, 51, owner of the Best and Casina, neighborhood theatres, died yesterday after a brief illness. Two sons, a daughter, two brothers and a sister survive.



CALIFORNIA

AMERICAN'S SOUTHERN SUNSHINE ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Jackter at Atlanta Meeting Tomorrow

ATLANTA, March 4.—Rube Jackter, Columbia assistant general sales manager, will preside at a Southern division meeting here Thursday in connection with the "Exhibitors' Good Will Campaign" which started this week. Attending will be Sam Moscow, division manager, and branch managers R. J. Ingram, Charlotte; J. B. Underwood, Dallas; J. J. Rogers, Memphis; C. A. Gibbs, Oklahoma City, and H. Duvall, New Orleans.

M.P.P.D.A. Meeting Is Set for March 31

The annual meeting of the M.P.P.D.A. has been set for March 31. Will H. Hays, president, whose current contract expires today, his 19th anniversary in the position, is expected from the Coast in about two weeks. His new five-year contract as M.P.P.D.A. head, agreed upon some time ago, was signed on Feb. 3.

Ermolieff Sues Again

LOS ANGELES, March 4.—Joseph Ermolieff, European producer, today filed a new suit against RKO, this time seeking $40,000 damages for alleged distribution of "The Soldier and the Lady" in Ireland. He recently obtained a declaratory judgment in Superior Court which ruled Ireland is not part of the United Kingdom.

O'Brien Left 5 Million

TORONTO, March 4.—M. J. O'Brien, president of the Ottawa Valley Amusement Co., which operates four theatres in Ontario, left an estate of $5,200,000, according to the probate of the will. O'Brien, who died a few weeks ago, made provision for cash gifts to many employes and relatives.

Newsreel Parade

THE address of President Roosevelt to the Academy of Motion Picture Arts and Sciences' annual awards banquet, and the aftermath of the tragic plane crash near Atlanta captured considerable newsreel attention. The reels and contents follow

MOVIETONE NEWS, No. 51—W news in Libya, India, the United States, Scotland and England. Captain Rickenbacker injured in Georgia plane crash. Roosevelt lauds screen in address to film Academy. The Cleveland Indians train for ball season; the Chicago Cubs in training. Running of the Santa Anita handicap.

NEWS OF THE DAY, No. 249—British desert army smashes toward Tripoli. Balkan crisis finds England on the alert. Royal Family visits bombed Portsmouth, England. American bombers span Atlantic. Roosevelt praises work of screen. Steel strike settled. Freak accident at Miami outboard race. Spills feature roller skating derby in Chicago. Long shot takes Santa Anita race.

PARAMOUNT NEWS, No. 54—Defense chiefs bring end to steel strike. Dedicate bridge over Niagara River. Probe fatal plane crash near Atlanta. Naturalized citizens at Portland, Ore. Triplets born to New York State calf. Prime Minister Churchill inspects defenses. British forces continue African advance. Baseball teams play in Havana. Girls' team opens training in New Orleans. Outsider wins Miami race. Long shot wins at Santa Anita.

RKO PATHE NEWS, No. 54—Defense heads end steel strike. Tobruk falls in Africa. President addresses film Academy. Ambassador Winant leaves for London. Fire razes Fort Myer barracks. Largest troop transport completed in Oklahoma. Skaters spill in Chicago race. Florida and Santa Anita horse races. New citizens see democracy at work in Oregon.

UNIVERSAL NEWSREEL, No. 959—President Roosevelt addresses Academy. British capture Italian Libyan fort. Italian prisoners in India. Steel strike ends. U. S. troops on march at Fort Sill, Oklahoma. Seven die in Georgia plane crash. Roller derby in Chicago. Regatta in Miami. Widener handicap race at Miami.

'Doe' Opening in 3 Cities Wednesday

"Meet John Doe," Capra-Riskin picture released by Warners, will have a premiere at the Paramount and Beach theatres in Miami next Wednesday, in addition to the openings at the Hollywood and Rivoli in New York and the Hollywood and Downtown in Los Angeles on the same day.

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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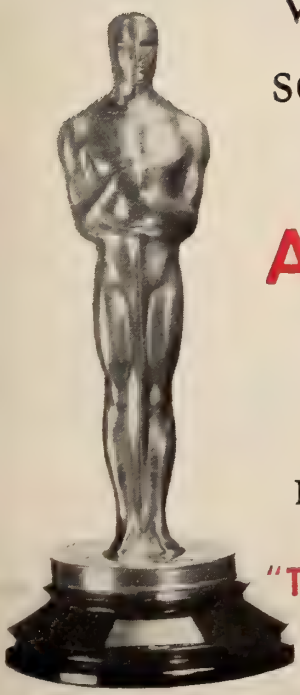
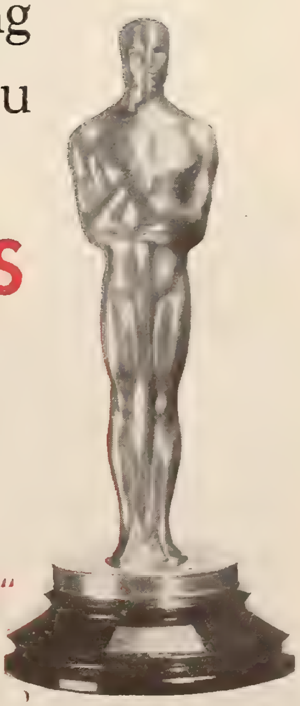
SHORTS CHAMP
OF THE INDUSTRY!

When you buy Shorts for the coming season remember M-G-M gave you **TWO OUT OF THREE ACADEMY AWARD WINNERS this year.**



BEST CARTOON
Rudolph Ising's
"THE MILKY WAY"

BEST ONE-REELER
Pete Smith's
"QUICKER'N A WINK"



THE TWO ACADEMY

TOGE

Ginger Rogers, best performance by an actress..in "Kitty Foyle."

GINGER ROGERS

Vivaci

RKO RADIO PICTURES

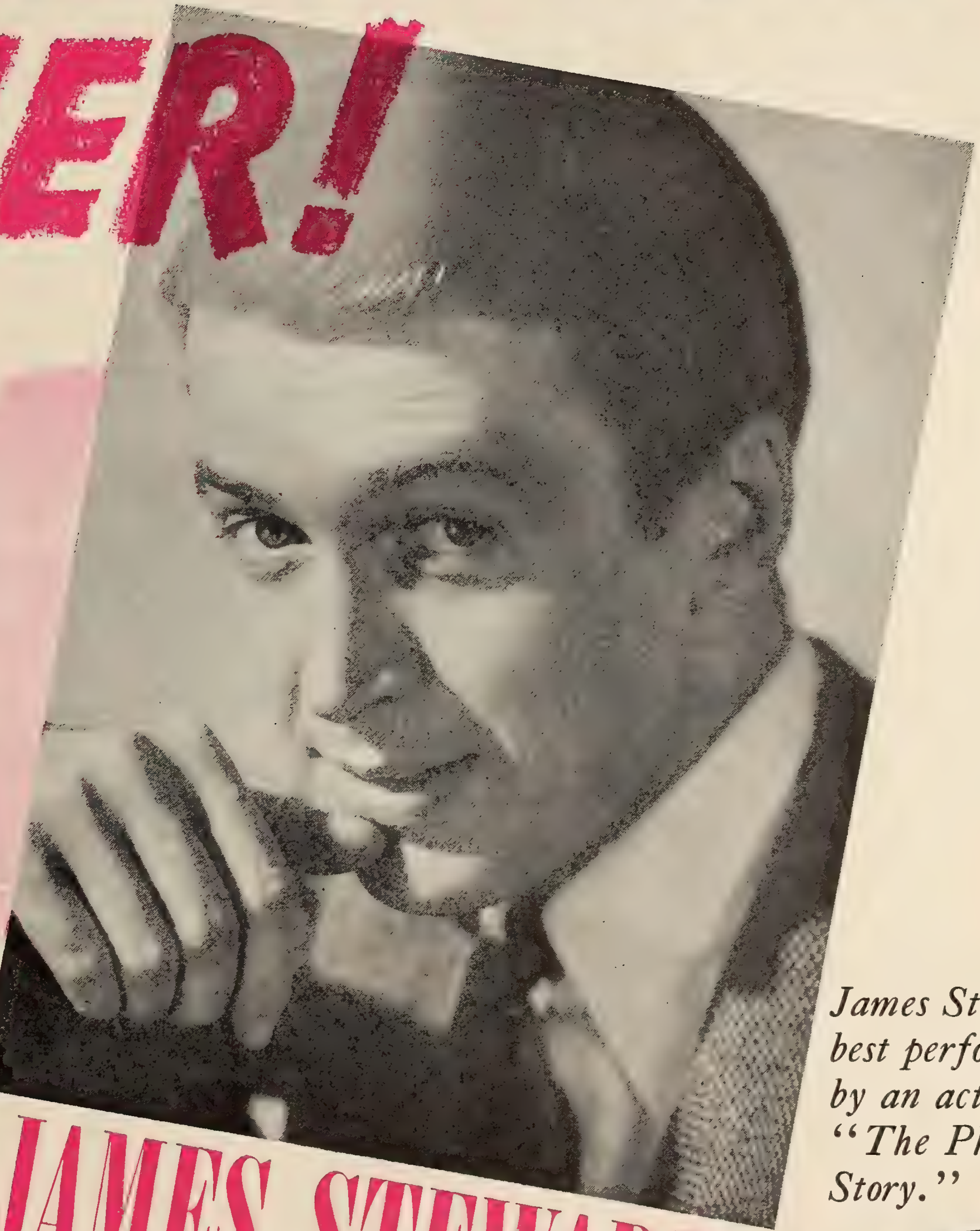
PANDRO S. BERMAN
IN CHARGE OF PRODUCTION

with **JAMES ELLISON · BEULA**

NEW PRINTS: NEW ADS: NEW AC

AWARD WINNERS

THER!



James Stewart, best performance by an actor.. in "The Philadelphia Story."

JAMES STEWART

us Lady

NATIONAL
RELEASE
DATE
MARCH 28

NDI · CHARLES COBURN

A GEORGE STEVENS PRODUCTION
Screen Play by P. J. Wolfson and Ernest Pagano

SSORIES: FOR A NEW CLEANUP!

Plan Headquarters For Theatres Unit In Defense Effort

Separate headquarters will be established for the theatres division of the Motion Picture Committee Cooperating for National Defense, it was decided yesterday at a meeting in the office of Joseph Bernhard, head of Warner Theatres, who is chairman of the division.

Only Government-released, free films will be sponsored by the division, it was determined, and not commercially-released product.

Present at the meeting, in addition to Bernhard, who presided, were: Spyros Skouras, Leonard Goldenson, Si Fabian, Charles C. Moskowitz, John J. O'Connor and Ed Kuykendall.

Publicists to Name Negotiating Group

A group of representatives to appear for the Screen Publicists Guild in all future negotiations with the major companies on a contract will be elected at the guild's next monthly meeting on March 13. Of nine members nominated, five will be selected. Additional nominations will be made at the meeting.

Hearings on the guild's petition to act as bargaining agency for all publicity department employes, involving Warners and M-G-M, will be resumed today before Daniel Baker, N.L.R.B. trial examiner. On their conclusion all major companies will have appeared.

★
LOS ANGELES
FLY THE
CENTRAL, YEAR 'ROUND MAIN LINE AIRWAY
Three flights daily offering scenic daylight service and two thru sleepers coast-to-coast without change of planes. Enjoy Mainliner service on the world's most experienced airline. Reservations: travel agents, hotels or
UNITED AIR LINES
Airlines Terminal: 80 E. 42nd St.
67 Wall St. Pennsylvania Hotel
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★

Universal Officials Are Awarded 7-Year Pacts

(*Continued from page 1*)

charge of studio operations; William A. Scully, vice-president in charge of domestic sales; Joseph H. Seidelman, vice-president in charge of foreign sales, and Matthew Fox, vice-president and executive assistant to the president.

J. Cheever Cowdin

Authorization for the new contracts was voted by the boards of directors of Universal Pictures Company, Inc., and the Universal Corporation, at special meetings.

Under the new terms, the annual salaries of the group will range from $62,400 to $91,000 during the first two years and thereafter will range from $75,400 to $117,000.

Additional incentive compensation will also be provided through a profit-sharing plan in which the executives will share by receiving a percentage of the operating income up to $2,500,000, and an additional percentage of operating income above that figure. Individual participations will range from one-half of one per cent to one per cent of operating income up to $2,500,000 and from one to two per cent in excess of that figure. The contracts provide also that these percentages are to be reduced proportionately to any future increase in tax rates and that balances blocked in Great Britain shall be excluded in computing operating income for any year, any adjustment with respect to these amounts to be made only when and as these balances are actually transferred into dollars.

Under the terms of the contracts with Universal Corp., each of the five vice-presidents is to receive each year warrants to purchase 3,000 shares of Universal Corp. common stock at $10 per share, expiring in April, 1956. The chairman and president will receive 5,000 such warrants. The warrants now held by members of the executive group, running for five years and giving them the right to buy stock at prices ranging from $8 to $10 per share, are to be exchanged for the longer-term warrants stipulating the higher price.

Carr in Charge of Monogram Lineup

(*Continued from page 1*)

in charge of a production unit.

Johnston said that Monogram's production budget would be increased 18 per cent for the new season and would include four specials, "Army Hostess," "Navy Bound," "God's Country and the Law" and "Land of the Sky Blue Water."

Other productions on the new season's schedule are: "Clancy Street Mob," "'Neath Brooklyn Bridge," "The Pride of Third Avenue" and "Chinatown Mystery," all featuring the East Side Kids.

Also: "The Monster Strikes," "Girl of My Dreams," "King of the Zombies," "Aunt Emma Paints the Town," "Old Fashioned Girl," "Million Dollar Mystery," "Beating Back," "Nights of Horror," "False Colors," "Thirty Fathoms Down," "On the Stroke of Twelve," "The Fighting Cadet," "Isle of Terror," "Freckles Comes Back," "Lil' Louisiana Lady," "Flaming Terror," "Man from Headquarters" and "Hill Billy Romance."

In addition, the company will reissue "Yesterday's Hero," with Mickey Rooney; "Boy of the Street," with Jackie Cooper, and "Siren of the South Seas," with Movita.

The 24 Westerns on the schedule will include 16 new productions, eight of which will be the second series of the "Range Busters," and eight will be a new group entitled the "Rough Riders." Eight John Wayne Westerns will be reissued.

Monogram's annual sales convention is scheduled for the first week in April, in Los Angeles, and will be attended by company franchise holders.

Johnston's announcement was made at a cocktail party given at the Hotel Warwick yesterday for William Gell, managing director of Pathe Pictures, Ltd., of London, who arrived from Europe by clipper on Monday. Gell's company distributes for Monogram in England and Monogram distributes here for Pathe, Ltd., and will handle the bulk of Pathe's 1941 program of 12 features for American distribution.

Gell plans to be here about a month and may attend the Monogram convention. Johnston will leave for his West Coast headquarters in about 10 days. He plans to visit the East about every three months.

Fox West Coast Will Build Three Houses

San Francisco, March 4.—Construction of three new film houses in northern California at a cost of approximately $400,000 has been ordered by Fox West Coast Theatres, in line with its current West Coast building program.

Theatres costing $150,000 each will be constructed at Richmond and Vallejo, across the bay from San Francisco, with $100,000 to be spent on a house at San Luis Obispo. Preliminary work already has begun on the Vallejo project.

Exchanges Honor Prince

RKO exchanges in Atlanta, Charlotte, New Orleans and Memphis will honor David Prince, Southeastern district manager, during the week of May 3, as a phase of the Ned Depinet sales drive.

'Fantasia' in Pittsburgh

Pittsburgh, March 4.—Walt Disney's "Fantasia" opens here tomorrow at the Fulton. Toni Spitzer of the Disney home office, who handled the New York and Chicago openings, is here on the campaign.

Financing Plan Considered for UA Producers

(*Continued from page 1*)

distinguished from the Sliverstone Plan which is utilized by U.A. presently, producers will have the opportunity of participating in the earnings of their own pictures without respect to the consolidated program results of the company.

This new financing method, Silverstone stated, will be provided through a new and separate unit of United Artists, soon to be organized. The financial interests which will be part of the organizations, he stated, have not before been associated with U.A. productions. Producers who will wish to take advantage of the plan will be required to contribute a certain investment of their own.

Since the new producers' bonus plan appears to meet the basic objections of Samuel Goldwyn to continuing his distribution deal with the company, Silverstone was asked whether Goldwyn would continue to release through United Artists even though he were to withdraw as an owner of the company, under the pending settlement of litigation.

Silverstone declined comment on the ground that the settlement is still in negotiation, but added significantly: "Goldwyn is a great producer. I would like to have him stay in the company."

Silverstone said that the present 12 United Artists producers, other than Goldwyn, would contribute to the company's new season schedule and that deals with several additional producers are in work and will be concluded soon. A production deal has been closed with Arnold Pressburger, he said, and "New Wine," produced by William Szekeley, recently signed by M-G-M, will be a new season release.

New U. A. Program Set in Two Weeks

(*Continued from page 1*)

cause of the uncertainties of film buying with five major companies operating under the consent decree.

In reply to a question, Silverstone said United Artists has no thought of voluntarily adopting the decree selling method.

Before the new season schedule is finally set, he said, home office officials will confer with representative theatre circuit heads to obtain their reactions to productions planned and their suggestions for possible changes.

Cooper Leaves Red Cross

Toronto, March 4.—Col. John A. Cooper, chairman of the Motion Picture Distributors of Canada, has retired as president of the Ontario branch of the Red Cross Society of Canada, to which he has devoted considerable time in the past few years. He is succeeded by Wallace R. Campbell, vice-president of the Ford Motor Co. of Canada.

9,165 Companies Net $51,983,000 in 1938

WASHINGTON, March 4.—Total income of 9,165 amusement corporations operating in 1938 was $1,140,769,000 and total deductions were $1,088,785,000, leaving a net profit of $51,983,000 and a net income, resulting from the elimination of $77,000 in tax exempt interest on Government securities, of $5[illegible]06,000, it was reported tonight b[illegible]e Internal Revenue Bureau.

These companies, an analysis of the 1938 returns disclosed, paid income taxes of $11,614,000 and excess profits taxes of $88,000, leaving them a net profit, after tax, of $40,281,000. Dividends paid during the year included $43,285,000 in cash and assets other than the corporation's own stock, and $319,000 in corporation stock, it was shown.

The bureau figures disclosed that the 9,165 corporations had gross receipts from operations of $1,023,426,000 and receipts of $58,358,000 from sales, $22,680,000 from rents and royalties, $14,945,000 from dividends from domestic corporations, and $3,041,000 in dividends from foreign corporations.

Levy Must Repay CBS $85,000 Total

Isaac D. Levy, director of CBS, was ordered yesterday by N. Y. Supreme Court Justice John Carewe to repay to CBS $85,000 and interest after trial of a stockholders' suit against CBS, its officers and directors.

Henry G. Mason and Nat Gluck, plaintiffs, had charged that Levy and his associates had participated in a transaction in which CBS had acquired the entire interest of the American Record Co. from Consolidated Film Industries, Inc.

Goddard Approves Decree for Ascap

(*Continued from page* 1)

come effective until Ascap signed one substantially similar. While the official would not disclose BMI's attitude until the decree had been studied, he indicated that the objections presented by the N.A.B. had no application to BMI and that only minor changes in phraseology would be sought in the BMI decree to make it conform to the one signed by Judge Goddard yesterday.

French Film to Open

"The Mad Emperor," French film starring Harry Bauer, will open on Saturday at the 55th St. Playhouse.

Mutual Gross Up 31% in February

Mutual's gross billings continued to increase during February and ended with a total of $442,157, a rise of 31 per cent over the same month last year. The cumulative total for the first two months was $947,388, an increase of 44.6 per cent over the same period last year when the gross totaled $655,378. CBS and NBC discontinued disclosures of gross billings in January.

Republic Opens N. Y. Meeting Tomorrow

Republic's fourth regional sales meeting will open tomorrow at the home office, with James R. Grainger, president, presiding, and Herbert J. Yates in attendance.

Grainger and Yates arrive here today from Atlanta, where they attended the Southern regional which ended yesterday. They previously had attended the meetings in Los Angeles and Kansas City.

Among the sales representatives who will attend the two-day local meeting are: Jake Flax, Washington franchise owner; Nat Lefton, Cleveland and Cincinnati franchise owner; J. H. Alexander and S. A. Fineberg, Pittsburgh franchise owners, and the following branch managers: Morris Epstein, New York; Arthur Newman, Albany; Jack Bellman, Buffalo; M. E. Morey, Boston; Sam Seletsky, New Haven; Max Gillis, Philadelphia; Sam Seplowin, Detroit; Sam Gorrel, Cleveland, and George Kirby, Cincinnati.

'Hopkins' Premiere in St. Louis

HOLLYWOOD, March 4.—Republic will hold the world premiere of "Sis Hopkins" at the Fox, St. Louis, April 4. Judy Canova, star of the film, will head a Hollywood group attending.

Republic Studio Damaged

HOLLYWOOD, March 4.—A production shut-down on four pictures was caused today at the Republic studio when lightning burned out the generators. Several thousand dollars' damage was caused.

Film Program on WMCA

WMCA will start a weekly Hollywood gossip program at 6:45 P.M. today. The show will be called "Hollywood Busybody."

AGMA to Continue Fight Against AFM

The American Guild of Musical Artists will continue to fight the efforts of James C. Petrillo, American Federation of Musicians president, to compel all instrumentalists to join the A.F.M., Cora Witherspoon, AGMA executive secretary, asserted after a meeting of the AGMA board of governors yesterday. Miss Witherspoon added that because of pending litigation in the New York Court of Appeals and the Department of Justice statement that a Federal grand jury investigation would be started, further details could not be revealed now.

March 10 Set for Casanave Hearing

Argument on a motion to consolidate actions filed against officers of National Screen Service and affiliated companies by Charles Casanave was postponed yesterday to March 10 in Supreme Court at White Plains. The separate actions seek a declaratory judgment setting forth that the contract between Casanave and National Screen's subsidiaries, National Screen Accessories, Inc., and American Display, is valid.

National Screen Service attorneys are expected to seek a change of venue to New York where the cases would be heard in conjunction with a suit filed in N. Y. County Supreme Court by National Screen Service, through Herman Robbins and Toby Gruen, directors, against Casanave as vice-president and general manager of National Screen Accessories.

N.Y. Board Leading In Complaints Filed

The New York arbitration board took the lead in number of complaints on file when Jack Fields, operator of the Cameo, Jersey City, entered a clearance complaint against all five consenting companies yesterday.

The case was the fourth filed in New York. The Washington tribunal is second with three cases pending.

Fields' complaint states that he is obliged to follow the Fulton, Apollo and Orient, operated by Skouras Theatres, despite the fact that all three are 500-seat houses, whereas the Cameo seats 1,450. The theatres are all located within a mile of his, the complaint sets forth.

Clearance Complaint Filed in Philadelphia

PHILADELPHIA, March 4.—The first complaint in this territory under the consent decree was filed yesterday by John Geyser, president of the High Bridge Corp., operating the Florence Theatre in Florence, N. J. The complaint charges unreasonable clearance and names the five consenting major distributors, in a situation involving the Fox Theatre at Burlington, N. J., operated by Ben Amsterdam's Atlantic Circuit.

Indianapolis Panel Of Arbitrators Set

An initial panel of 10 arbitrators for the local board at Indianapolis was named yesterday by the American Arbitration Association.

The list includes business men, educators, lawyers and financiers, typical of whom are: Louis J. Borinstein, capitalist and industrialist, and Professor James E. Moffat, head of the department of economics, Indiana University.

Two hats and two rings
Stir that uncertain feeling;
And Merle's all set for
Some sly double-dealing!
SOL LESSER presents Ernst Lubitsch's "THAT UNCERTAIN FEELING" Released thru UNITED ARTISTS

"TOBACCO ROAD"...AFTE
DUAL OPENING THURS
DAY WHICH SMASHE
3 MIAMI RECORDS..
GIVES THE LINCOL
THEATRE BIGGES
SATURDAY IN IT
HISTORY!!!

And at Augusta, Ga. - - -

Opening day of "TOBACCO ROAD
beats entire run
of "The Grapes of Wrath."

20th CENTURY FOX

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 49. NO. 45 NEW YORK, U. S. A., THURSDAY, MARCH 6, 1941 TEN CENTS

NBC Tries Out Live Talent in Color Telecast

FCC in Philadelphia on Television Inspection

On the eve of the departure of FCC members for a last minute trip through Philadelphia and New York for an inspection of television developments prior to a hearing on television March 20, it was revealed yesterday that NBC had telecast a live talent show in color last Friday.

That NBC and RCA would embark on color television tests was reported in MOTION PICTURE DAILY Feb. 13. The transmission involves a mechanical system with revolving color disks on camera and receiver. NBC withheld announcement of the color telecast but confirmed the fact upon inquiry. Additional tests will be made from time to time in the next few weeks, it was said.

FCC members and staff will be in Philadelphia today to inspect the

(*Continued on page* 6)

Consolidated Film 1940 Net $590,031

Net income for 1940 of $590,031 was reported by Consolidated Film Industries yesterday. The result compares with net of $628,297 for 1939.

In his letter to stockholders, H. J. Yates, president, reports that gross income of Republic Pictures for 1940 amounted to $8,330,000, an increase of 4.7 per cent over the preceding year. He states that Consolidated has acquired an additional 139,000 shares of Republic stock during the

(*Continued on page* 6)

Schenck Has Deal On for N. Y. Yanks

Joseph M. Schenck yesterday told reporters that he would like to buy the New York Yankees baseball club of the American League. He said he hopes to meet attorneys representing the Jacob Ruppert estate interests, which own the club, and he will go through with the deal if the price is right and $1,000,000 down will swing it.

Kuykendall Is Not A Candidate for MPTOA President

Ed Kuykendall, M.P.T.O.A. president, indicated yesterday he would not be a candidate for reelection to the post at the organization's national board meeting and convention scheduled for the first week in June.

Ed Kuykendall

Inquiry failed to reveal any other candidate in prospect for the post, however, and it is believed that the M. P. T. O. A. board will act to draft Kuykendall for another term as organization head. He has filled the post for the past six years.

Kuykendall left New York for Washington last night.

Agreement on 'Star' Publicity on Again

Twice disavowed in recent months, only to be reaffirmed again, the "gentlemen's agreement" among New York advertising directors to refrain from using critics' four-star awards symbols in advertising, has emerged stronger than ever from its latest disavowal, it was learned yesterday.

The agreement was abandoned re-

(*Continued on page* 6)

American Way

Washington, March 5.—Observed in line in front of the Keith's Theatre box-office a few nights ago were Lord Halifax, British Ambassador to the United States, and Lady Halifax. A phone call from the Embassy would have made his wait at the ticket window unnecessary but he chose to enter in the regular way.

Gov't Opens Trial Of Joseph Schenck

"I enter this trial with complete confidence," Joseph M. Schenck, 20th Century-Fox board chairman, stated yesterday as the trial of the Government suit against him and Joseph H. Moskowitz, assistant to Schenck, started before Federal Judge Grover M. Moscowitz.

"No man ever complained that I did him any wrong—much less have I wronged my Government," Schenck added.

After a jury was impaneled, U. S. Attorney Matthias F. Correa outlined the charges in the indictment in his opening statement. Correa informed the court that he expected the prosecution to take between 10 days and two weeks while Harold R. Corbin, attorney for the defense, predicted that the trial would continue for five or six weeks.

Correa referred to transactions in which he claimed Schenck had profited but upon which no income taxes had been paid.

Seattle Theatres Get Taste of War In Test Blackout Tomorrow Night

By WILLIAM A. PRAGER

Seattle, March 5.—A taste of possible things to come in this day of wars and impending wars, as they would affect the amusement industry of the United States were the clouds of war to come down over this country, will be provided the population of this city on Friday.

Along with other businesses, motion picture theatres and other places of amusement in this major city of the Northwest will undergo a blackout.

The blackout will last for a half-hour, from 10:30 to 11 P.M., in an experiment conducted by the U. S. War and Navy Departments. This will be the first blackout experiment in the country, and may be the forerunner of others on American coastal cities on the Atlantic and Pacific Oceans.

Entertainment as usual will be provided in the interior of Seattle's theatres, but the usually brilliant exteriors of the houses will be completely dark during the half-hour blackout, as will all other exterior lights in the city.

There are approximately 50 film theatres in Seattle, which has a population of 367,000. This city is the county seat of King County, which has a population of about 463,500, most of whom seek their entertainment in the city.

First Hearing On Arbitration Set in Capital

Arbitrator Is Named in Walbrook Case

WASHINGTON, March 5.—The distinction of being the first arbitration case to be scheduled for hearing under the industry's new arbitration system went today to the Walbrook Theatre's clearance complaint, which was also the first case filed.

E. Barrett Prettyman, prominent local attorney, was unanimously selected by the parties involved in the Walbrook's complaint as the first arbitrator to have jurisdiction over an industry case. He set the hearing for March 25.

The Walbrook, a Baltimore house, operated by Thomas Goldberg, charges unreasonable clearance and names 20th Century-Fox, Warners and three competing Baltimore theatres operated by the Frank H. Durkee Circuit. The complaint was filed Feb. 7. Thus,

(*Continued on page* 6)

Estimate $500,000 'U' Net in Quarter

Universal's net profit for the first quarter of the company's current fiscal year is estimated by Wall Street sources in excess of $500,000, or substantially above the net profit of $460,631 reported by the company for the corresponding quarter the year before.

It was disclosed yesterday that Nate J. Blumberg, Universal president, and

(*Continued on page* 6)

Minn. Sets March 13 For 5-Block Hearing

ST. PAUL, March 5.—The general legislation committee of the Minnesota Senate late today set March 13 for a hearing on the bill designed to contravene the block-of-five provision of the Federal consent decree. Opposition appeared when the bill came up.

Reviewed Today

Reviews of "Here Comes Happiness" and "A Dangerous Game" appear on Page 3. Short subject reviews on Page 6.

Pilfered Pipes

Denver, March 5

BERNIE HYNES, manager of the Fox Denver, is beginning to worry. Last year burglars broke into the house and stole 50 pipes from the organ, cramping the organist's style when special effects were desired. The other night, almost a year to the day, 40 more pipes were missing when the doors were opened.

N.Y. Measure Bans Admission Refusal

ALBANY, March 5.—A bill introduced into the New York legislature today by Assemblyman Irwin Davidson would insert a new section in the Civil Rights Law prohibiting wrongful refusal of admission and wrongful ejection from places of entertainment, including theatres.

The measure provides, in effect, that no person over 21 years who presents a ticket of admission at a reasonable time before the beginning of a performance shall be denied admission. It provides also that a patron cannot be asked to leave even if the theatre offers to refund the admission price, when nothing tending toward a breach of the peace is committed.

ALBANY, March 5.—Senator Alexander Falk yesterday introduced measures amending the law in relation to discrimination in businesses affecting the public interest. Assemblyman William Andrews previously introduced the measure in the Assembly,

The discrimination situation was aired before the Assembly Judiciary Committee at a public hearing yesterday afternoon.

N. Y. Allied Meeting In Buffalo March 18

The New York State Unit of National Allied, which is in process of formation, will hold a regional meeting at Buffalo on March 18 at which two representatives will be selected to serve on the organizing committee. The New York City and Albany regions are already organized.

The organizing committee is directing activities until a state-wide meeting is held at which officers will be elected. Max Cohen of the Lido, Brooklyn, and Robert Goldblatt of the Music Hall, Tarrytown, represent the New York City area. Albany is represented by Abe Stone of Albany and Leonard Rosenthal of Troy.

Rodgers Speaks at Ampa Meet Today

William F. Rodgers, M-G-M general sales manager, will address the Ampa luncheon meeting at the Hotel Edison today on the functions of advertising and publicity in the industry. Harry Goldberg, Warner Theatres director of advertising and publicity, will be toastmaster.

Among those in attendance will be Ralph Pielow, New York exchange manager for M-G-M, whose recent appointment to that post has been warmly received here, according to trade circles. Olga Kargau will entertain with songs before the speaking starts.

Personal Mention

MR. and MRS. EDWIN L. WEISL left yesterday for California.

•

E. Z. WALTERS, comptroller of Altec, has returned from a Florida vacation.

•

NAT HOLT, RKO Theatres division manager, left for his headquarters in Cleveland last night.

•

HERMAN WOBBER, LEO SPITZ, NATE BLUMBERG, SAM SHAIN, WILLIAM C. GEHRING, MALCOM KINGSBERG, NAT HOLT and LOWELL CALVERT lunching at the Plaza Grill yesterday.

•

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, left last night for Detroit and Chicago and expects to return here Saturday.

•

FRANK CULP, manager of the Fox Tabor in Denver, is recovering from an operation.

•

J. LOUIS ROME, circuit operator in Baltimore, is on a month's visit to the Coast.

•

HERBERT J. BOWERS of the Comerford Circuit, Scranton, and ELIZABETH ANNE FINNERTY were married there recently.

•

KATHERINE BRAGGS, secretary to JOHN NOLAN, Comerford film buyer in Scranton, has recovered from an illness.

•

FRANK MULLEN, M-G-M office manager in New Haven, has returned to his post after recovering from a leg injury.

•

VERNON BURNS, assistant at the Bijou, New Haven, is on a leave of absence.

•

MATT SCHULTER, in charge of booking for the St. Louis Amusement Co., is vacationing in Hot Springs, Ark.

J. ROBERT RUBIN has left New York for a West Coast business and vacation trip.

•

LOU WEINBERG, ABE SCHNEIDER, HARRY BUCKLEY and JOHN WRIGHT lunching yesterday at Lindy's (next to the Rivoli).

•

JAMES MULVEY, MAURICE SILVERSTONE, GRACIE ALLEN, GEORGE BURNS, FRED ALLEN, and KENNY BAKER having lunch at Lindy's (51st St.) yesterday.

•

BUDD ROGERS, BEN BLAKE, MONROE GREENTHAL, DAVE LIPTON, and DOUGLAS ROTHACKER at the Tavern yesterday for lunch.

•

MILTON KUSELL, J. J. UNGER, GEORGE DEMBOW, OWEN DAVIS, GEORGE JESSEL, and GUY BOLTON lunching yesterday at Nick's Hunting Room in the Astor.

•

R. B. WILBY, Charlotte, and M. A. LIGHTMAN, Memphis, are in New York for Paramount home office conferences.

•

ROBERT C. SHERWOOD, Columbia producer, left New York for Washington last night.

•

SAM BRISKIN is en route to the Coast.

•

JACKSON SHIELDS HURFORD, manager of the Fox, Detroit, has returned from a two-week Florida vacation with MRS. HURFORD.

•

JOHN ROBERTS, chief booker for the Comerford Theatres in Scranton, and MRS. ROBERTS celebrated their 25th wedding anniversary this week.

•

EVERETT C. CALLOW, Warner publicity chief in Philadelphia, has been appointed honorary member of the Notre Dame Club of that city.

Late News Flashes from the Coast

Hollywood, March 5

SPYROS SKOURAS, head of National Theatres, arrives tomorrow from New York to conduct the circuit's annual meeting at Arrowhead Springs. About 60 executives, including division managers, film buyers and home office representatives, will be present. The meeting is expected to last until the end of the week. Charles Skouras heads the Los Angeles delegation.

• •

James H. Stedman, investigator for the Dies Congressional committee on un-American activities, today reopened the committee's offices in the Federal Building in Los Angeles and indicated that film personalities interviewed some time ago would be recalled in a continuation of the committee's investigation.

• •

I.A.T.S.E. locals today decided to appeal to the International Alliance for assistance in pushing negotiations for new wage scales and working conditions. The decision was reached at a meeting by representatives of costumers, laborers, projectionists and grips. Property Men's Local 44 already has asked the International to take over the studio locals' autonomy, while Charles Ferguson of Local 728 said he would take the matter up with his board.

• •

Arthur M. Loew, vice-president of Loew's in charge of foreign activities, left last night for a week's stay at Palm Springs before returning to New York.

• •

Lou Brock, producer, having completed "They Met in Argentina" for RKO will check off the lot this week.

• •

Republic today extended the contracts of Roy Rogers and George (Gabby) Hayes, featured together in westerns.

Name Committees on Variety Club Party

ATLANTIC CITY, March 5.—Representatives of 15 local clubs met here the other day to make preparations for the national convention of Variety Clubs, May 15-17. The Traymore will be convention headquarters and scene of the anniversary banquet on Friday evening, May 16, at which time the Humanitarian Award will be made. With 25 r present, the following conven committees were appointed:

Harris Heads Committee

John Harris, convention chairman; Louis Rome, Earle W. Sweigert and Collier Barron, co-chairmen; Frank P. Gravatt, executive finance; Gradwell L. Sears and Ned E. Depinet, Eastern honored guests; Robert J. O'Donnell, Walter Wanger, Paul Short, Western honored guests; Harry Mayer and Edward Sherman, entertainment; William Clark, transportation; Mort Lewis and George Weilland, greeters; Ted Schlanger, Boardwalk parade; Emanual Munzer, Boardwalk stores and decorations; Henry Freedman, registration and hotel; Jay Emanuel, souvenir program make-up; Charles E. Lewis, program advertising.

Golf Committee Named

Bert King, Sam Galanty and John Howard, golf tournament; William McAvoy, Jr., technical and decorations; Max Leven, souvenir badge and events; Charles E. Lewis and Maurice D. Kann, publicity and general advertising; Earle W. Sweigert, newsreel; Jay Emanuel, photographic and highlights; Frank Elliott, fishing party and expedition; Jack Beresin, banquet food and Friday evening dinner; Leon Rains, boxing show; Dr. Leon Levy, radio; William McAvoy, Jr., games, equipment and money scrip; Dave Barrist, special events; John Maloney, hearts; Hardie Meakin, Humanitarian Award; James Balmer, attendance; Earle W. Sweigert, attendance; Ray O'Rourke, exhibition, and Charles Goldfine, general utility.

Edwin Percival Dies

SANTA BARBARA, Calif., March 5.—Edwin Percival, 62, former Canadian theatre manager and uncle of Norma Shearer, died at his home near here yesterday after a lingering illness.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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‘Rio Grande,’ Show $14,300, Milwaukee

MILWAUKEE, March 5.—The week's best gross was Earl Carroll's “Vanities” with the film, “Romance of the Rio Grande” at Fox's Wisconsin with $14,300. “The Invisible Woman” at the Riverside, with a stage show, took $12,600.

Estimated takings for the week ending Feb. 25-27:

“Virginia” (Para.)
“Life With Henry” (Para.)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $7,800. (Average, $4,000)
“The Invisible Woman” (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Andrews Sisters. Gross: $12,600. (Average, $6,500)
“Come Live With Me” (M-G-M)
“The Wild Man of Borneo” (M-G-M)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,000. (Average, $1,500)
“Strawberry Blonde” (W. B.)
“She Couldn't Say No” (W. B.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,000. (Average, $4,500)
“Romance of the Rio Grande” (20th-Fox)
WISCONSIN—(3.200) (40c-55c) 7 days. Stage: Earl Carroll's “Vanities.” Gross: $14,300. (Average, $5,500)

‘Virginia’ $4,500; Montreal in Slump

MONTREAL, March 5. — “Virginia” and “Keeping Company” at the Capitol was the only bill to do better than average business in a slow week, with $4,500. “The Philadelphia Story” drew $6,500 in the second week at Loew's.

Estimated takings for the week ending Feb. 27:

“Kit Carson” (U. A.)
“Where Did You Get That Girl?” (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $3,500. (Average, $4,000)
“The Philadelphia Story” (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
“Kitty Foyle” (RKO)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $5,500. (Average, $7,000.
“Virginia” (Para.)
“Keeping Company” (M-G-M)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $4,500. (Average, $4,000)
“Dulcy” (M-G-M)
“Gall and Sons” (M-G-M)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $1,900. (Average, $2,500)

‘Virginia’ $7,000 New Haven's High

NEW HAVEN, March 5.—A week of school vacation helped business. The Paramount with “Virginia” and “Blackout” took $7,000. “Strawberry Blonde” and “Father's Son” at the Roger Sherman grossed $6,600.

Estimated takings for the week ending Feb. 28:

“Land of Liberty” (M-G-M)
“Laddie” (RKO)
COLLEGE — (1,499) (39c-50c) 7 days. Gross: $1,700. (Average, $2,700)
“Andy Hardy's Private Secretary” (M-G-M)
“Lone Wolf Keeps a Date” (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $9,500. (Average, $8,000)
“Virginia” (Para.)
“Blackout” (U. A.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $7,000. (Average. $4.500)
“Strawberry Blonde” (W. B.)
“Father's Son” (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,600. (Average, $5,000)

Wobber Leaves on Trip to Hollywood

Herman Wobber, in charge of distribution for 20th Century-Fox, left yesterday on a trip to the Coast. En route he plans to stop off at Denver, Salt Lake City, Portland, Ore., San Francisco and Los Angeles. He is expected to be gone about three weeks.

Feature Reviews

“Here Comes Happiness”

(Warners)

THE problem of a poor young man in love with an heiress and the difficulties of a rich young girl who can't find a “real” man within her own set are re-examined in “Here Comes Happiness.” Mildred Coles is the girl and Edward Norris is the man, while Richard Ainley rounds out the triangle as the fortune seeker who loves Miss Coles for her father's money.

Miss Coles is about to be engaged to Ainley but she refuses to go through with it. Her social-climbing mother, Marjorie Gateson, is shocked. Her father, Russel Hicks, remembering his hard-working days as a prospector, secretly approves. Miss Coles takes an apartment in the Bronx where she meets Norris and falls in love with him. Norris fails to understand when he sees her in the company of several rich men, but Hicks works out a reunion.

Although it is a simple story, Noel M. Smith, who directed, has provided several humorous sidelights and the film should make satisfactory program fare. William Jacobs was associate producer.

Running time, 58 minutes. “G.”* EDWARD GREIF

“A Dangerous Game”

(Universal)

ANOTHER in the series of socalled adventures teaming Richard Arlen and Andy Devine in the leading roles, this film is out-and-out farce, with little to recommend it to other than double bill addicts in the lesser situations.

It is composed largely of slapstick excitement and rarely climbs above that level. A satirical yarn poking fun at the eerie type of detective-murder mystery, the story lacks the touch of subtle cleverness which is a necessary ingredient of the better films of its kind.

John Rawlins, who directed, apparently concentrated on providing as much general noise and excitement as could be engendered from a sanitarium for the seemingly insane, a man obviously under the influence of drugs, another with a satchel containing an enormous sum in cash, a murder and a whole set of utterly ridiculous crooks all after the money. Arlen emerges as an insurance detective and Devine posing as a masculine nurse in the sanitarium, as Arlen's assistant.

Running time, 61 minues. “G.” * CHARLES S. AARONSON.

** “G” denotes general classification.*

Hearings Resumed On Publicists' Plea

Hearings were resumed yesterday at the National Labor Relations Board offices here before Examiner Daniel Baker on the petition of the Screen Publicists Guild for designation as collective bargaining agency in the Warner and M-G-M publicity and advertising departments. Taking of testimony was completed several weeks ago in the cases against the other six major companies.

The hearing yesterday was concerned chiefly with presentation of evidence by the Guild concerning the workings of the advertising and publicity departments of the two companies involved in order to lay the basis for a determination of which employes are eligible to vote for a collective bargaining agency.

Managers Threaten To Strike in Detroit

DETROIT, March 5.—Claiming that its members were compelled to do janitor work, Local No. 22,313 of the Theatre Managers and Assistant Managers Union has served notice with the state labor board of intention to strike against the William J. Schulte circuit of neighborhood theatres.

Fox Sets Reduced Price in Wisconsin

MILWAUKEE, March 5. — Twenty-cent early bird prices have been instituted by Fox in a number of its houses around the state on various days in the week. At its Orpheum in Green Bay, a “shoppers' bargain matinee” of 20 cents until 2 P.M. is being offered daily while at the Fox in Stevens Point, the 20-cent admission until 6 P.M. has been inaugurated on Wednesdays, Thursdays, Fridays and Saturdays.

At Beaver Dam, Fox is now operating its Odeon all day from 2 P.M. on with a 20-cent admission policy prevailing to 6 P.M. on Tuesdays, Wednesdays, Thursdays and Fridays and 20 cents to 4 P.M. on Saturdays and 30 cents to 2 P.M. on Sundays. Matinee shows have also been instituted by the circuit at its Venetian and Zenith theatres here with a 15-cent admission to 2 P.M. and 20 cents to close at the former house on the first three days in the week.

Para. Partners Will Convene in Chicago

CHICAGO, March 5. — Paramount theatres associates will hold a preliminary meeting here late this month before leaving for their scheduled meeting at White Sulphur Springs, W. Va., March 27-29.

‘Virginia’ Grosses $12,000 in St. Louis

ST. LOUIS, March 5.—“Virginia,” dualed with “Golden Hoofs,” at the Ambassador led the city with $12,000. “Back Street” garnered $5,200 in its second week, having moved to the Missouri from the Ambassador.

Estimated takings for the week ending Feb. 27:

“Virginia” (Para.)
“Golden Hoofs” (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $12,000. (Average, $11,500)
“Buck Private” (Univ.)
“Flight from Destiny” (W. B.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $9,500. (Average, $11,000)
“Back Street” (Univ.)
“Six Lessons from Madame LaZonga” (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 2nd week. Moved from Ambassador. Gross: $5,200. (Average, $4,000)
“The Son of Monte Cristo” (U. A.)
“Nobody's Children” (Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $8,500. (Average, $13,000)
“Michael Shayne, Private Detective” (20th-Fox)
“Little Men” (RKO)
ST. LOUIS—(4,000) (25c-30c-35c) 7 days. Gross: $1,900. (Average, $2,600)

‘Western Union’ at $8,000, Kansas City

KANSAS CITY, March 5.—“Western Union” took $3,500 at the Esquire and $4,500 at the Uptown, for a total of $8,000. “Virginia” scored $9,000 at the Newman.

Estimated takings for the week ending Feb. 25-27:

“Western Union” 20th-Fox)
ESQUIRE—(800) (28c-44c) 8 days. Gross: $3,500. (Average, 8 days, $2,000)
“The Philadelphia Story” (M-G-M)
“Maisie Was a Lady” (M-G-M)
MIDLAND—(4,000) (28c-44c) 7 days, 2nd week. Gross: $8,400. (Average, $9,500)
“Virginia” (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $9,000. (Average, $7.000)
“Mr. and Mrs. Smith” (RKO)
“The Case of the Black Parrot” (W. B.)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $5,000. (Average, $5,000)
“Ridin” on a Rainbow” (Rep.)
TOWER—(2,200) (30c) 7 days. Stage: Clyde Hager, Three St. John Bros., Winston & Lolette. Gross: $7,000. (Average, $6,000)
“Western Union” (20th-Fox)
UPTOWN—(2,000) (28c-44c) 8 days. Gross: $4,500. (Average, 8 days, $3,400)

‘Story’ with $9,000 Tops Indianapolis

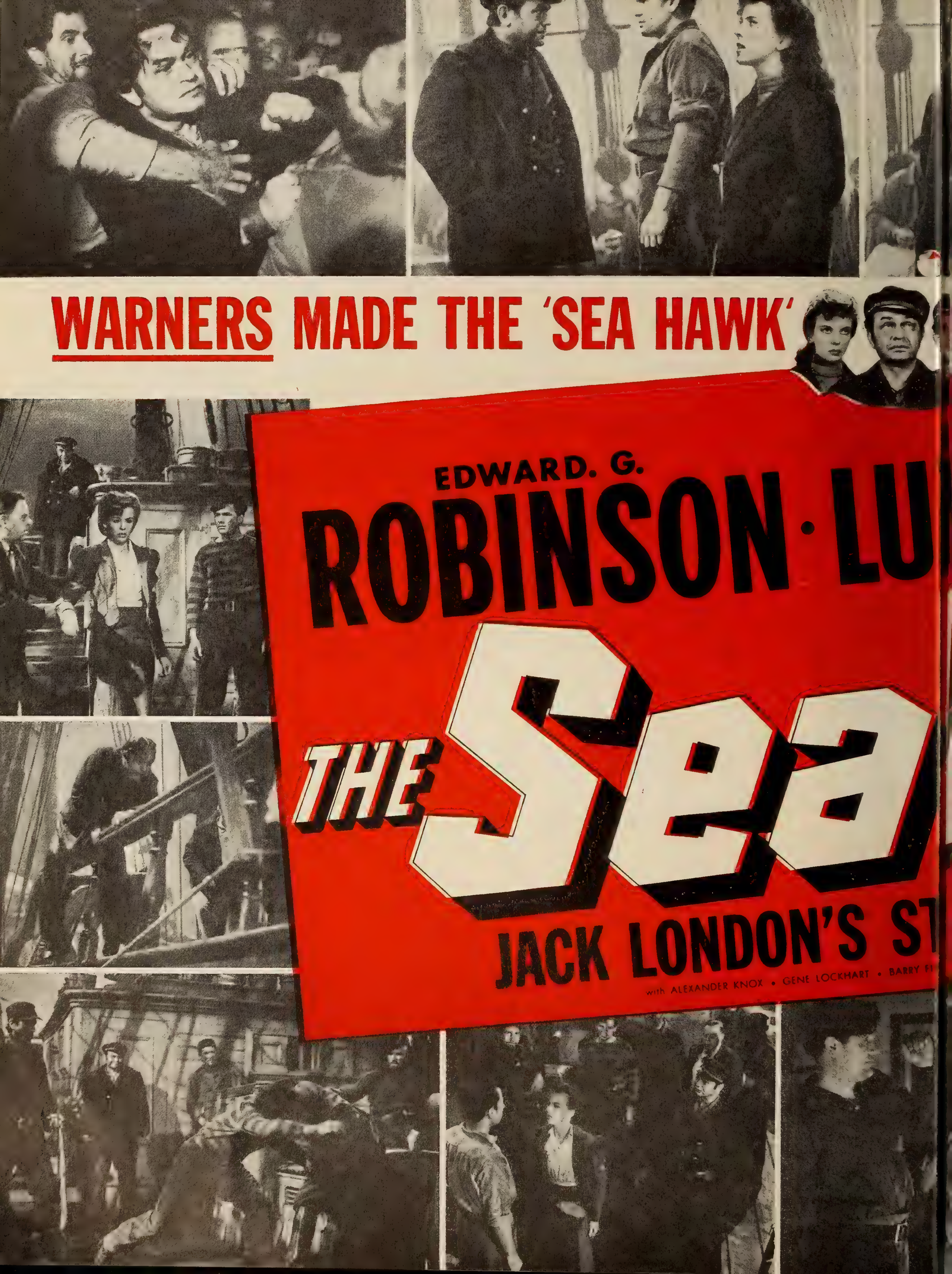
INDIANAPOLIS, March 5. — “The Philadelphia Story” and “Gallant Sons” were strong in their second week at Loew's, with $9,000. “Strawberry Blonde” and “Convoy” did $7,000 at the Indiana.

Estimated takings for the week ending Feb. 28:

“Virginia” (Para.)
“Let's Make Music” (RKO)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $6.500. (Average, $6,000)
“Strawberry Blonde” (W. B.)
“Convoy” (RKO)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7.000. (Average, $6.000)
“The Philadelphia Story” (M-G-M)
“Gallant Sons” (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. 2nd week. Gross: $9,000. (Average, $7,000)
“Road Show” (U. A.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Maxine Sullivan; John Kirby and His Orchestra. Gross: $9,200. (Average, $8,000)

Honor ‘U’ Manager

CINCINNATI, March 5.—To honor Peter Rosian, Universal branch manager here, the exchange will conduct a special playdate drive from April 6 to May 10, at the conclusion of the William Scully drive.



WARNERS MADE THE 'SEA HAWK'

EDWARD. G.
ROBINSON · LU

THE Sea

JACK LONDON'S ST

with ALEXANDER KNOX • GENE LOCKHART • BARRY FI

ND THE THUNDERING SEA EPIC TO TOP IT!

JOHN

NO · GARFIELD

Wolf

OF TERROR AFLOAT

lay by Robert Rossen • Music by Erich Wolfgang Korngold

Directed by

MICHAEL CURTIZ

He never misses! Here's just a *part* of his hit list: 'Robin Hood' • 'Four Daughters' 'Angels with Dirty Faces' • 'Dodge City' 'Virginia City' • 'Sea Hawk' • 'Santa Fe Trail'

First Hearing On Arbitration Set in Capital

(Continued from page 1)

slightly more than six weeks will have been required to bring the case to hearing.

Reports that the case would be settled before going to hearing were heard in Washington and Baltimore shortly after it had been filed. However, principals in the case subsequently made emphatic denials, asserting that a question was at stake on which a final decision was desired.

Braden to Talk
On Film Arbitration

J. Noble Braden, executive secretary of the American Arbitration Association, will discuss the organization and functioning of the motion picture and other arbitration systems at two forums next week. On Monday he will address the Wharton School of Finance and Commerce at the University of Pennsylvania in Philadelphia, and the following day he will address the Harvard School of Business at the Harvard Club here.

Estimate $500,000 'U' Net in Quarter

(Continued from page 1)

Joseph H. Seidelman, vice-president and foreign manager, will conduct a convention of the company's Latin American sales representatives in Panama, April 2 to 6. C. C. Margon, Latin American supervisor, and Fortunat Baronat, foreign publicity manager, will accompany them.

Peyton Gibson, secretary of the company, will be proposed for election to the Universal board of directors at the annual meeting of stockholders in Wilmington, March 15, to fill the post left vacant by the resignation some time ago of William Freiday. Gibson was designated by the board recently to serve out Freiday's unexpired term. All present members of the board will be proposed for reelection.

In addition, the stockholders will act on the new seven-year contracts for the company's seven "key" executives. They will also vote on a proposed amendment to the company's by-laws which would indemnify current and former directors and officers and their personal representatives against all costs and expenses resulting from legal actions to which they were made parties by reason of their positions, except upon findings of their having acted in bad faith.

Consolidated Film 1940 Net $590,031

(Continued from page 1)

past two months and reports that during 1940 Republic acquired film exchanges in New York, Philadelphia, St. Louis, Omaha and Des Moines.

Consolidated's net sales and royalties for 1940 amounted to $7,235,337. The company reported cash on hand and in banks of $601,335; total current and working assets of $6,374,288, and total current liabilities of $1,150,652.

Short Subject Reviews

"Splits, Spares and Strikes"

(Columbia)

The current feminine interest in bowling should make this a worth while subject as the right and wrong way of heaving the ball is made clear by Tillie Taylor, expert extraordinary. Miss Taylor performs gracefully and scores a strike invariably. A few trick shots are included. By way of contrast, a plump miss clumsily tries her hand at the game. Running time, 10 mins.

"Take It Or Leave It, No. 3"

(Columbia)

Bob Hawk conducts for the screen another quiz based on his radio program. Four contestants answer a varied lot of queries but only one wins the maximum $64. Finally a jackpot question is given to the contenders on the screen and the audience. Running time, 11 mins.

"Mad About Moonshine"

(RKO)

Edgar Kennedy, Vivian Oakland and Bill Franey go to the hill billy country to produce lots of laughs in this two-reel comedy. Kennedy is berated by his wife because he can't make any decisions when he learns that his father-in-law has inherited an estate. Franey knows the estate is worthless but finally accepts Kennedy's repeated offers to buy. When they get to the "estate" they find themselves in the midst of an old feud and with a charge of moonshining lodged against them. Running time, 19 mins.

"From Singapore to Hong Kong"

(Columbia)

In undistinguished fashion the camera moves through the streets of Singapore and Hong Kong and the commentator calls attention to such points of interest as junks, rickshas and the oriental dress, all of which have been seen before. Running time, 10 mins.

"Community Sing, No. 5"

(Columbia)

The audience is asked to sing in company with Lew White's organ, heard but not seen, and a group of vocalists. The songs played are "Beyond the Blue Horizon," "Walkin' My Baby Back Home," "You've Got Me This Way," "Beautiful Dreamer" and "So You're the One." There is nothing unusual about the short. Running time, 10 mins.

"Fresh as a Freshman"

(Columbia)

Here David Durand, Paul Hurst, Wally Vernon, Rita Rio and others are assembled in a comedy affair in college. The comedy is unadulterated slapstick with the dean continually the victim of a flying shoe or something equally effective in rendering him unconscious. Miss Rio's work is limited to one song and a small part in the story. Running time, 18 mins.

"Forbidden Passage"

(M-G-M)

This "Crime Does Not Pay" short, in exploring the racket of smuggling aliens into the country, is exciting and tense and at times achieves a degree of stark realism that is almost unbearable. Upon finding bodies wrapped in sacks and chains in Florida waters, the immigration agents investigate and by clever devices eventually uncover the racket. Running time, 21 minutes.

"Wild Boar Hunt"

(Warners)

Howard Hill, who is described as the "world's greatest archer," again demonstrates that the title is justified. Here he embarks on a boar hunt with his three dogs and during the search handles the bow with incredible speed and accuracy. Most of the shots are repeated in slow motion. The final sequences are more exciting as Hill is seen rescuing with a timely shot a farmer being attacked by a boar. It is all very thrilling and well done in color. Running time, 10 mins.

"Picture People, No. 6"

(RKO-Pathe)

Here is a lively little short with big film names which should please. On view are Warren William with a vacuum cleaner to take up leaves from the lawn; Jerry Colonna, Smiley Burnette and Preston Foster harmonizing in a ditty about a coyote; Anita Louise in her honeymoon cottage, and C. Aubrey Smith working in his garden. Charles Laughton and Elsa Lanchester wind up the reel with a radio rehearsal directed by Arch Oboler. First rate. Running time, 10 mins.

"Sniffles Bells the Cat"

(Warners)

A group of mice decides that the only way to learn when the cat is approaching is to tie a bell around his neck. The smallest, Sniffles by name, is elected to do the job. His finally successful effort, sometimes amusing, forms the main body of the cartoon. Running time, 7 mins.

"Fight, Fish, Fight"

(Warners)

A marlin expedition in the New Zealand Bay of Islands with Mr. and Mrs. Michael Lerner is photographed well in color and the result is truly exciting entertainment. From the time a sea monster, said to weigh 706 pounds, nibbles on Lerner's hook to the time he is reeled in the battle is thrilling. The surrounding country, filmed in color, adds to the effect. Running time, 10 mins.

"Ice Capers"

(Columbia)

This an ice skating demonstration by Olympic Champion Irving Jaffee, who essays a dual role, champ and chump. It might prove instructive for the attentive winter sport enthusiast since Jaffee's maneuvering on the ice is masterful. As the chump character, Joe Flop, donning high hat and fur coat, he is seen falling repeatedly in a manner which some may consider amusing. Running time, 10 mins.

NBC Tries Ou Live Talent i Color Telecas

(Continued from page 1)

Philco laboratory developments o synchronization and will make a second call at the Allen B. DuMont laboratories here tomorrow. Neither NB nor RCA plans to demonstrate [illegible] television for the FCC unless a [illegible] fic request is made, it was said.

Friday's telecast was the first liv talent program in color ever to b transmitted over the air here. However, CBS had previously tested colo television from films before its transmitter was compelled to go off th air for adjustments to a new frequency.

Agreement on 'Star' Publicity on Agai

(Continued from page 1)

cently, and all major company advertising directors were so informed b the Advertising Advisory Council o M.P.P.D.A. Later, however, severa advertising directors who had bee discouraged from attempting to preserve the agreement by the latest outbreak of "star" advertising on Broadway, agreed to give it "one mor trial." Largely influencing their decision, it was said, was the decisio of the Rivoli to become a party to th "agreement."

The Rivoli, which was directly responsible for one of the earlier abandonments of the agreement, has no been a party to the "pact" up to now

Some advertising managers yesterday expressed the hope that th Brandt Circuit's Broadway houses might also be brought into the agreement later. They are the only houses of standing on Broadway still not parties to it.

Warner Ball Saturday

The 12th annual banquet and bal of the Warner Club takes place Saturday night in the grand ballroom o the Hotel Waldorf-Astoria. About 1,500 are expected. Music will be furnished by Jack Teagarden, Raymond Scott and their orchestras and by Ramon's Cuban Caballeros.

"Take the Air"

(Warners)

A musical comedy of the "Broadway Brevities" series, this is ably performed by William T. Orr, Mary Brodel, Eddie Foy, Jr., Andrew Tombes and Frank Ferguson. The story concerns Foy's effort to bring new talent to his father's radio station. Orr becomes involved as a hitch-hiker who, after accompanying Foy to the station, meets Miss Brodel. Almost immediately they go into a song. The short is gay and entertaining throughout. Running time, 20 mins.

"The Haunted Mouse"

(Warners)

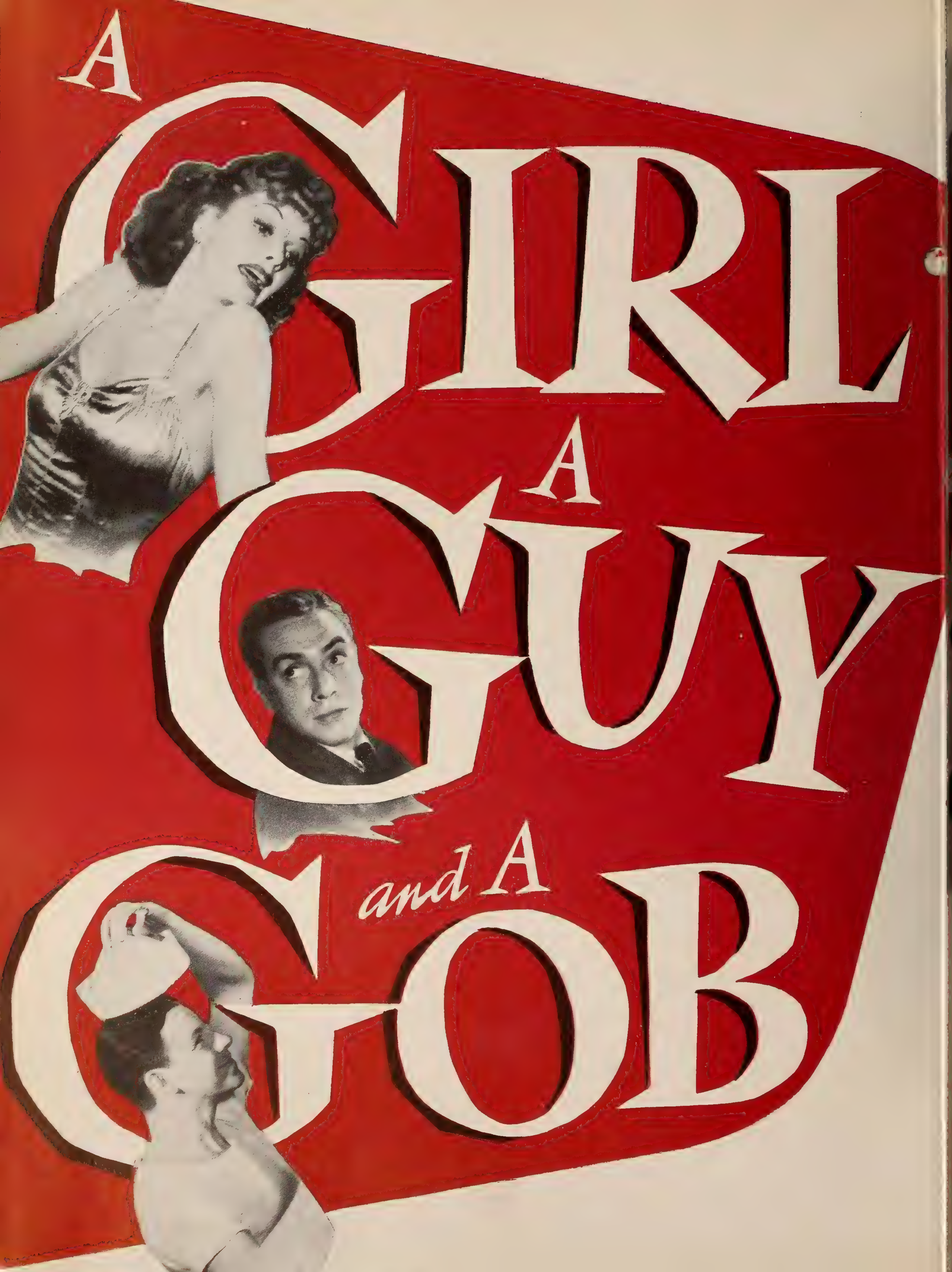
A clever variation of the overworked cat-pursuing-mouse theme this "Looney Tune" has the cat in all sorts of perplexities because the mouse is really a ghost and appears and disappears. Running time, 7 mins.

It's ROUGH

ROWDY

and ROMANTIC

THE BIG SURPRISE OF ALL LAUGH SENSATIONS . . . .



A GIRL A GUY and A GOB

HAROLD LLOYD'S bombshell of laugh dynamite!...All about the sailor's sweetie who drove the navy nutty!...It's FUN from the FLEET–and you get it while the angle's HOT!...Spectacular two-ocean world premiere at San Francisco's Golden Gate Theatre to launch the screen's big all-out comedy smash!

WITH

GEORGE MURPHY
LUCILLE BALL
EDMOND O'BRIEN

HENRY TRAVERS · FRANKLIN PANGBORN

Directed by **RICHARD WALLACE**

Screen play by Frank Ryan and Bert Granet

RKO RADIO PICTURES

Produced by

HAROLD LLOYD

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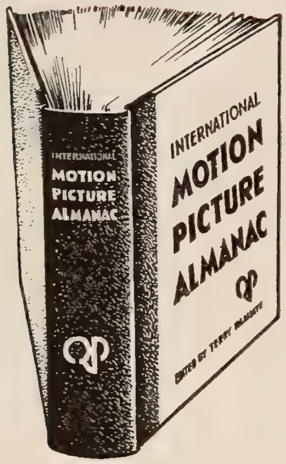
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INTERNATIONAL MOTION PICTURE ALMANAC
QP
EDITED BY TERRY RAMSAYE

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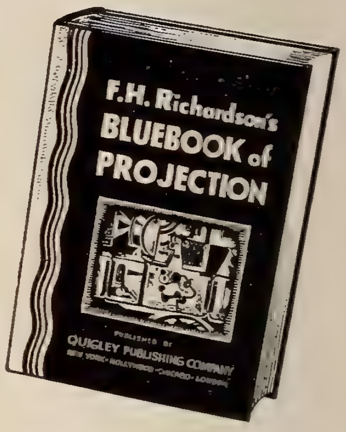
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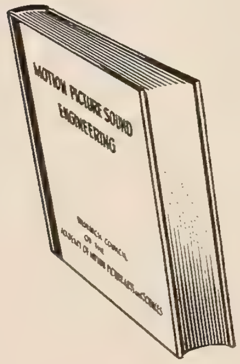
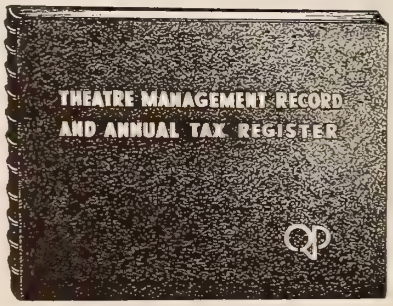
The second revision, sixth edition of the Bluebook. Supplemented with sound trouble shooting charts and alphabetical index. 700 pages. A quick trouble-shooter and a sure solution to all projection problems. .... **$7.25** POSTPAID


MOTION PICTURE SOUND ENGINEERING
RESEARCH COUNCIL OF THE ACADEMY OF MOTION PICTURE ARTS AND SCIENCES

Motion Picture Sound Engineering—the most advanced sound manual to date. Prepared by the country's leading sound engineers. 547 pages, explaining every detail of apparatus. Profusely illustrated with diagrams, tables, charts and graphs. .... **$6.50** POSTPAID


THEATRE MANAGEMENT RECORD AND ANNUAL TAX REGISTER
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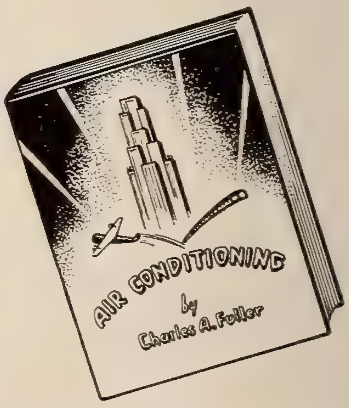
Theatre Management Record is the most simplified bookkeeping system yet devised for the exhibitor! No accounting experience necessary. Individual sections for all operating data. Full tax information always readily available. .... **$2.00** POSTPAID


AIR CONDITIONING
by Charles A. Fuller

A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. .... **$4.00** POSTPAID

QUIGLEY BOOKSHOP

ROCKEFELLER CENTER, NEW YORK

'Wind' Draws $8,700, Holds Seattle Pace

SEATTLE, March 5.—With five houses showing holdovers, grosses were down. "Gone With the Wind" drew $8,700 in the second week at the Paramount. The weather was mild and dry.

Estimated takings for the week ending Feb. 28:

"Come Live With Me" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $4,000)

"Virginia" (Para.)
"Life With Henry" (Para.)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $6,800. (Average, $7,000)

"This Thing Called Love" (Col.)
"Phantom Submarine" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $5,500. (Average, $5,000)

"The Philadelphia Story" (M-G-M)
"Michael Shane, Private Detective" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 6th week. Gross: $3,400. (Average, $4,000)

"Buck Privates" (RKO)
"The Case of the Black Parrot" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)

"Flight from Destiny" (W. B.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. Vaudeville headed by Haines Twins. Gross: $4,500. (Average, $5,000)

"Gone With the Wind" (M-G-M)
PARAMOUNT—(3,050) (40c-58c) 7 days, 2nd week. Gross: $8,700. (Average, $6,000)

'Virginia' $10,500 Providence Best

PROVIDENCE, March 5.—The Strand, playing "Virginia" and "Girls Under 21," took $10,500, and "Buck Privates," dualled with "The Invisible Woman," was good for $7,600 at the RKO Albee in the second week.

Estimated takings for the week ending Feb. 26-27:

"Buck Privates" (Univ.)
"The Invisible Woman" (Univ.)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $7,600. (Average, $6,000)

"Come Live With Me" (M-G-M)
"Blondie Goes Latin" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $10,800. (Average, $11,000)

"Strawberry Blonde" (W.B.)
"Father's Son" (W.B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,500. (Average, $7,000)

"Virginia" (Para.)
"Girls Under 21" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $10.500. (Average, $6,000)

"Hoosier Schoolboy" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c). Revival. 3 days. Stage show with Marcus All-Girl Revue featuring Hin Low, Sparky Kaye, Flagg and Arnold; Latasha and Lawrence, Roberta Jonay and Ruth Durrell. Gross: $6,800. (Average, $4,700)

"Tall, Dark and Handsome" (20th-Fox)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with Major Bowes amateurs: Dave Barry, Bridgeport Four, Francis Lacey, Wanda Gibson, Joan & Ernie, Skate O'Maniacs and Ginny Wayne. Gross: $6.000. (Average, $5.000)

"So Ends Our Night" (U.A.)
"Maisie Was a Lady" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 8 days, 2nd week. Gross: $2,300. (Average. $3,500)

"Love Thy Neighbor" (Para.) (3 days)
"South of Suez" (W.B.) (3 days)
"Kitty Foyle" (RKO) (4 days)
"Hudson's Bay" (20th-Fox) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,900. (Average, $1,700)

Sets Weekly Vaudeville

STAMFORD, Conn., March 5.—The Palace here has changed its policy to include vaudeville exclusively one day a week and straight films the other six days.

Speech-Maker

St. Louis, March 5.—Harry Crawford, manager of the Ambassador Theatre here, has made 150 speeches before various clubs in the city in the last year.

'Andy Hardy' Frisco High, Gets $17,500

SAN FRANCISCO, March 5.—Business held up well here with favorable weather. The Fox took $17,500 with "Andy Hardy's Private Secretary" and "Murder Among Friends." "Gone With the Wind" took $14,500 in the second week at the Warfield.

Estimated takings for the week ending Feb. 25-28:

"Mr. and Mrs. Smith" (RKO)
GOLDEN GATE—(2,850) (35c-40c-5c) 7 days, 2nd week. Stage: Vaudeville. Gross: $15,000. (Average, $15,000)

"Virginia" (Para.)
"Wild Man of Borneo" (M-G-M)
PARAMOUNT — (2,740) (15c-35c-40c-50c) 7 days. Gross: $12,800. (Average, $11,500)

"Andy Hardy's Private Secretary" (M-G-M)
"Murder Among Friends" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,500 (Average, $16,000)

"Western Union" (20th-Fox)
"You're the One" (Para.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $6,000)

"The Devil Commands" (Col.)
"The Face Behind the Mask" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $7,300. (Average, $8,000)

"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (25c-40c-55c) 7 days, 2nd week. Gross: $14,500. (Average, $12,000)

"Road Show" (U. A.)
UNITED ARTISTS — (1,200) (15c-35c-40c-55c) 7 days. Gross: $7,000. (Average, $8,000)

"They Met on Skis" (C. L. Import)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $700. (Average, $1,000)

'Wind' in Detroit Garners $19,000

DETROIT, March 5.—"Gone With the Wind," at the United Artists in its second week at normal prices, grossed $19,000. The Michigan reported $20,000 with "Virginia" and "You're The One."

Estimated takings for the week ending Feb. 27:

"Back Street" (Univ.)
"Meet the Chump" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. "Street," 2nd week. Gross: $6,000. (Average, $5,500)

"Flight Command" (M-G-M)
"The Thief of Bagdad" (U. A.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,600. (Average, $7,000)

"Western Union" (20th-Fox)
"Blondie Goes Latin" (Col.)
FOX—(5,000) (20c-44c-55c-65c) 7 days, 2nd week. Gross: $14,000. (Average, $15,000)

"Virginia" (Para.)
"You're the One" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $20,000. (Average, $12,000)

"High Sierra" (W. B.)
"Kitty Foyle" (RKO)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $7,000)

"Gone With the Wind"
UNITED ARTISTS—(2,000) (44c-55c) 7 days, 2nd week. Gross: $19,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON—(1,400) (75c-$1.10-$1.65). Gross: $15.000. (Average, $10,000)

Minneapolis Gives $13,000 to 'Sierra'

MINNEAPOLIS, March 5. — "High Sierra," with a stage show, did $13,000 at the Orpheum in a generally good week, despite adverse weather conditions.

Estimated takings for the week ending Feb. 28:

"High Sierra" (W. B.)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. On stage, Clyde McCoy orchestra, Gil Lamb, Bennett Sisters, Hudson Wonders, others. Gross: $13,000. (Average, $5,500)

"Virginia" (Para.)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $8,500. (Average, $6,000)

"Flight From Destiny" (W. B.)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $2,200. (Average, $1,600)

"Honeymoon for Three" (W. B.)
GOPHER—(998) (28c) 8 days. Gross: $3,200. (Average, $2,500)

"This Thing Called Love" (Col.)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $4,000)

"Li'l Abner" (RKO) 5 days
"Charter Pilot" (20th-Fox) 5 days
"Face Behind the Mask" (Col.) 2 days
"Let's Make Music" (RKO) 2 days
ASTER—(900) (15c-28c) 7 days. Gross: $2,300. (Average, $1,800)

'Blonde' and Show $19,400 in Capital

WASHINGTON, March 5. — "Strawberry Blonde" at Warners' Earle with a stage show drew $19,400. "Tall, Dark and Handsome" took $18,500 with a show at Loew's Capitol.

Estimated takings for the week ending Feb. 27-28:

"The Philadelphia Story" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 3rd week. Gross: $12,200. (Average, $8,000)

"Strawberry Blonde" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-44c-66c-77c) 7 days. On stage: Minnevitch's Harmonica Rascals, Naitto Troupe, Hoo Shee, Roxyettes. Gross: $19,400. (Average, $15,000)

"Tall, Dark and Handsome" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-44c-66c-77c) 7 days. On stage: Henry Busse and Orch., Ross Wyse, Jr., and June Mann, Eunice Healey and Ginger Harmon. Gross: $18,500. (Average, $15,500)

"Back Street" (Univ.)
RKO KEITH'S—(1,834) (39c-55c) 7 days, 3rd week. Gross: $7,500. (Average, $5,000)

"Virginia" (Para.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, 2nd week, return engagement. Gross: $5,600. (Average, $4,500)

"Maisie Was a Lady" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,000. (Average, $4,000)

'Virginia' Scores $13,000 in Buffalo

BUFFALO, March 5.—"Virginia" and "Life With Henry" took $13,000 at the Buffalo. "Back Street" and "Meet the Chump" at the Lafayette, drew $7,100.

Estimated takings for the week ending March 1:

"Virginia" (Para.)
"Life With Henry" (Para.)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $13,000. (Average, $12,000)

"Hudson's Bay" (20th-Fox)
"Tall, Dark and Handsome" (20th-Fox)
GREAT LAKES—(3,000) (40c-55c) 7 days. Gross: $8,100. (Average, $7,500)

"The Son of Monte Cristo" (U. A.)
"Blackout" (U. A.)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $6,100. (Average, $6.800)

"Who Killed Aunt Maggie?" (Rep.) 3 days
"Little Men" (RKO) 4 days
"Barnyard Follies" (Rep.) 4 days
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. Singer's Midgets on stage in a revue for three days, featuring Betty Taner. Gross: $7.300. (Average, $7,500)

"Back Street" (Univ.)
"Meet the Chump" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days, 2nd week. Gross: $7,100. (Average, $6,300)

'Smith' Draws Good $17,800, Los Angeles

LOS ANGELES, March 5.—"Mr. and Mrs. Smith" drew a total of $17,800 at two theatres in the second week, $8,500 at the Hillstreet and $9,300 at the Pantages. "Gone With the Wind" drew $7,200 at the 4 Star and $16,000 at the United Artists.

Estimated takings for the week ending Feb. 26:

"The Trial of Mary Dugan" (M-G-M)
"Maisie Was a Lady" (M-G-M)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $9,300. (Average, $12,500)

"Fantasia" (RKO)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 4th week. Gross: $14,200. (Average, $17,000)

"Gone With the Wind" (M-G-M)
4-STAR—(900) (44c-55c) 7 days. Gross: $7,200. (Average, $3,250)

"Mr. and Mrs. Smith" (RKO)
"Let's Make Music" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. "Smith" 2nd week. Gross: $8,500. (Average, $6,500)

"The Trial of Mary Dugan" (M-G-M)
"Maisie Was a Lady" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $12,000. (Average, $14,000)

"Mr. and Mrs. Smith" (RKO)
"Let's Make Music" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. "Smith" 2nd week. Gross: $9,300. (Average, $7,000)

"Virginia" (Para.)
"Life With Henry" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. "Virginia" 2nd week. Stage: Bob Crosby and his Orchestra with the Bob Cats. Gross: $16,000. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (44c-55c) 7 days. Gross: $16,000.

"The Strawberry Blonde" (W. B.)
"Father's Son" (W. B.)
WARNER BROS: (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 2nd week. Gross: $10,000. (Average, $14,000)

"The Strawberry Blonde" (W. B.)
"Father's Son" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 2nd week. Gross: $11,500. (Average, $12,000)

'Strawberry' Gets $13,500, Cincinnati

CINCINNATI, March 5.—"Strawberry Blonde" brought the RKO Palace a big $13,500, and "Blondie Goes Latin" took $13,000 at the RKO Shubert, where Blackstone the magician and his company were featured on the stage.

Estimated takings for the week ending Feb. 26-March 1:

"Virginia" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,400. (Average, $12,000)

"Strawberry Blonde" (W.B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $13,500. (Average, $10,000)

"Blondie Goes Latin" (Col.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Blackstone, magician and Co. Gross: $13,000. (Average, $10,000)

"Western Union" (20th-Fox)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,600. (Average, $5,500)

"Flight from Destiny" (W.B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,800. (Average, $5,000)

"Back Street" (Univ.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. 3rd week. Gross: $3,000. (Average, $4,500)

"Law and Order" (Univ.)
"Bowery Boy" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Remedy for Riches" (RKO)
"Ellery Queen—Master Detective" (Col.)
RKO FAMILY—(1,000) (15c-28c) 3 days Gross: $900. (Average, $800)

"Buck Privates" (Univ.)
KEITH'S—(1,500) (33c-40c-50c) 7 days Gross: $3.200. (Average, $5,000)

Several Stations Are Authorized to Increase Power

WASHINGTON, March 5.—The Federal Communications Commission has authorized Stations WFHR, Wisconsin Rapids, Wis., to increase night power from 100 to 250 watts; WJOB, Hammond, Ind., to extend time of operation from sharing to unlimited; KSO, Des Moines, to increase night power from 1,000 to 5,000 watts; WGES, Chicago, to increase power from 500 to 5,000 watts and increase hours of operation from sharing to unlimited, and WKZO, Kalamazoo, Mich., to increase day power from 1,000 to 5,000 watts.

FM Permits Sought

Applications were received for construction permits for two regular and one FM broadcasting stations. The FM permit was asked by the Columbia Broadcasting System for a 44,900-kilocycle station in Hollywood, to cover 20,560 square miles with a population of 2,594,086. The other applications were filed by the Southern California Broadcasting Co. for a 1,400-kilocycle, 1,000-watt day station at Pasadena, Cal., and Howard H. Wilson for a 1,490-kilocycle, 250-watt station at Oshkosh, Wis. An application for change of frequency from 1,500 to 1,230 kilocycles was submitted by Station WOPI, Bristol, Tenn.

Hearings Ordered

Hearings were ordered on the applications of the Mid-American Broadcasting Corp. for a new 1,040-kilocycle station at Louisville, Ky., with 1,000 watts night, 5,000 watts day, and Stations WMAS, Springfield, Mass., for increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and change of frequency from 1,420 to 880 kilocycles; WBRE, Wilkes-Barre, Pa., for a synchronous station at Scranton, Pa., with 100 watts, and WSNJ, Bridgeton, N. J., for a booster station in Camden, N. J., with 100 to 250 watts.

Armstrong, 2 Others Get Permits for FM

WASHINGTON, March 5.—Three additional FM licenses were issued by the FCC today, making a total of 42 thus far. Edwin H. Armstrong, who developed noiseless FM, received one of the licenses. The station is to be constructed on the site of Armstrong's experimental station at Alpine, N. J. Other construction permits issued were to the Moody Bible Institute at Chicago, and Stromberg-Carlson Telephone Manufacturing Co., Rochester.

Cal. Bill Provides Schools' Film Use

SACRAMENTO, Cal., March 5.—A bill which would authorize schools to show motion pictures of all sorts for educational purposes has been introduced in the legislature by Assemblyman Alfred Robertson of Santa Barbara.

Philco Sets Dividend

PHILADELPHIA, March 5.—The directors of Philco Corp. have declared a dividend of 25 cents per share, payable March 26 to stockholders of record March 14.

Off the Antenna

FOR the third year, WOR will broadcast the play-by-play description of the Brooklyn Dodger baseball games with Red Barber and Al Helfer at the microphone. General Mills and Lever Bros. will sponsor. Pre-season games have already been aired. Daily games will be cut off the air at 5:30 P.M. if other programs interfere. Weekend games will go until 6:30. Barber will start April 7 with a nightly talk, excepting Thursdays and Sundays, under the sponsorship of Christian Feigenspan Brewing Co.

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Purely Personal: *The engagement of Helen Harper, secretary to A. D. Willard, Jr., general manager of WJSV, Washington, to Ralph Shultz, WJSV engineer, was announced yesterday. They will be married March 17. . . . Robert Kornheiser, recently appointed WHN traffic manager, will be inducted into the army tomorrow. . . . Wythe Williams, Mutual commentator, will have his book, "The Riddle of the Reich" published by Prentice-Hall tomorrow.*

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A news program of purely local interest will start Monday over WMCA and will be heard daily at 11:30-11:45 A.M. The station will use the Associated Press regional wire for the quarter hour.

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Program News: Art Metal Works will sponsor "Paul Sullivan Reviews the News" over 23 CBS stations on Fridays, beginning April 11. Sullivan is sponsored Mondays through Thursdays by Brown & Williamson Tobacco Co. . . . Griffin Shoe Polish Co. has renewed "Who Knows" over four Mutual stations for 52 weeks, effective March 24. . . . Hecker Products has renewed "Lincoln Highway" over 61 NBC-Red stations for seven weeks, effective March 15. . . . John Gambling's "Musical Clock" celebrates its 16th birthday on the air over WOR Saturday. Gambling's program is one of the oldest continuous shows in radio. . . . WOR's Sunday schedule has been rearranged to provide 90 minutes of children's shows. "First Offender" will be heard 8:30-9 A.M., "Uncle Don Reads the Comics," 9-9:30 A.M., and "This Wonderful World," 9:30-10 A.M. . . . Ted Malone's "American Pilgrimage" will originate from Jack London's California ranch in a Warner Bros. tieup for "The Sea Wolf." . . . "Double or Nothing" will travel to Cincinnati March 30 to test the possibilities of a wider tour this spring.

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Film Players on the Air: *Constance Bennett and Bob Hope will be heard in "The Awful Truth" over CBS during the "Lux Radio Theatre" Monday. . . . Franchot Tone will have the leading role in "An American Crusader," written by Robert E. Sherwood, playwright, for the "Free Company" series over CBS Sunday. . . . Carole Lombard will be featured on the "Silver Theatre" Sunday over CBS. . . . Gary Cooper, Joan Bennett, Francis Langford and Edward Arnold will join Fibber McGee & Molly in an original comedy for the "Screen Guild Theatre" over CBS Sunday.*

Malin Craig Named To CBS Directorate

Gen. Malin Craig, who was Chief of Staff of the U. S. Army up to the time of his resignation about a year and a half ago, was elected yesterday as a member of the CBS board of directors.

Gen. Craig was graduated from the U. S. Military Academy at West Point in 1898. In 1925 he was appointed Chief of Staff and as part of his duties reorganized the mobile troops of the Army and helped set up the Civilian Conservation Corps camps. Upon his resignation in the summer of 1939, his final report recommended the establishment of a peace time defense army of 1,000,000 men.

Hearing on Nebraska Ascap Law in April

OMAHA, March 5.—Hearing of Nebraska's appeal on a Federal court decision holding its anti-Ascap law to be unconstitutional is scheduled for the week of April 3 before the U. S. Supreme Court.

According to reports, the state has insufficient funds to finance the appeal, due largely to the heavy cost of printing the lengthy record of the case for the appeal. Indications are, however, that a further appropriation to cover the necessary costs will be forthcoming.

Milwaukee Ascap Hearing March 13

MILWAUKEE, March 5.—The hearing on the Government's criminal information action against Ascap which was scheduled for today in Federal District court here was postponed to March 13 at the request of Victor O. Waters, special assistant to the U. S. Attorney General.

When the case comes before Federal Judge F. Ryan Duffy on March 13 the Government is expected to ask for its dismissal on the levying of fines totaling $24,000 against Ascap officers and publishers who are represented on the music society's board.

Pellegrin Is Head Of NAB Ad Bureau

OMAHA, March 5.—Frank Pellegrin, sales manager of Central States Broadcasting System (KOIL, Omaha, KFAB and KFOR, Lincoln) has accepted the position of director of the radio advertising bureau of the National Association of Broadcasters.

Pellegrin will leave for Washington within 60 days, as soon as his successor here is selected. He has been with Central States since 1938.

Dismiss Decca Suit

N. Y. Supreme Court Justice Samuel I. Rosenman has dismissed the complaint of Ollie Shepard, band leader, against Decca Records, Inc., and subsidairy companies with leave to the plaintiff to amend his complaint.

Wakefield Named Member of F.C.C.

Washington, March 5. — President Roosevelt today sent to the Senate the nomination of Ray C. Wakefield of Fresno, Cal., to succeed the late Thad H. Brown as a member of the Federal Communications Commission, for the term ending June 30, 1946.

Wakefield is a member of the California Railroad Commission, which has jurisdiction over intrastate telephone lines and other public utilities, his term expiring in the near future. He is a Republican, as required to maintain the bi-partisan character of the Communications Commission.

RCA Plans Largest Radio Laboratory

RCA will build the largest radio research laboratories in the world at Princeton, N. J., David Sarnoff, president, said yesterday. The new laboratories will be headquarters for all research and original development work of the company and for its patent and licensing activities.

Otto S. Schairer, vice-president in charge of the patent department, has been named vice-president in charge of the laboratories, which will include the patent department. Ralph R. Beal, research director, will be in charge of all research and original development. C. B. Jolliffe has been named chief engineer; E. W. Engstrom will be director of the Princeton laboratories with V. K. Zworykin and B. J. Thompson as associates; Harold H. Beverage will be director of communications research in charge of the laboratories at Riverhead and Rocky Point, L. I.; and Arthur Van Dyck will be manager of the industry service section.

A research consulting board will be composed of the chief engineers of the RCA subsidiary companies, including O. B. Hanson, NBC; E. W. Ritter, RCA Manufacturing; C. W. Latimer, RCA Communications and I. F. Byrnes, Radiomarine.

General supervision of all research will be vested in an executive board consisting of Sarnoff as chairman, with Schairer, Beal and Jolliffe and the heads of subsidiary companies, G. K. Throckmorton, RCA Manufacturing; Niles Trammell, NBC; W. A. Winterbottom, RCA Communications, and Charles J. Pannill, Radiomarine.

10,352,000 Radio Sets Made in 1939

WASHINGTON, March 5.—More than 10,352,000 radio receiving sets, valued at $158,965,000, were produced in this country in 1939, an increase of about 2,500,000 in number but a reduction of $17,000,000 in value compared with 1937, according to the U. S. Census Bureau.

Production was at an all-time peak in 1939, running more than double that of 1929, when 4,980,000 sets were made, but lower prices resulted in a drop of $94,000,000 in factory value from the 1929 record of $252,787,000, the report showed.

More Cheers!

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WHO KNOW BOX-OFFICE VALUES!

We've told you what David O. Selznick, Louis B. Mayer and Hunt Stromberg say. Now read what

WALTER WANGER

producer of such outstanding pictures as "Stagecoach", "Foreign Correspondent", and "The Long Voyage Home", ***says:***

"I have seen 'CHEERS FOR MISS BISHOP.' It is MARVELOUS!"

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Cheers for Miss Bishop

An Unforgettable Love Story

with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 7	The Devil Commands (D) *Boris Karloff* *Amanda Duff*	Blonde Inspiration (C) *John Shelton* *Virginia Grey*		You're the One (M) *Bonnie Baker* *Orrin Tucker*	Petticoat Politics (C) 020 *Higgins Family*	Along the Rio Grande (O) 183 *Tim Holt* *Ray Whitley*	Ride, Kelly Ride (C) 129 *E. Pallette*		Back Street (D) *Charles Boyer* *M. Sullavan*	Flight from Destiny (D) *T. Mitchell* *Jeffrey Lynn*
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	Trial of Mary Dugan (D) 125 *Robert Young*	The Kid's Last Ride (O) Range Busters	The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	The Phantom Cowboy (O) 075 *Don "Red" Barry*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) 126		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) 065 *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*	Cheers for Miss Bishop (D) *Martha Scott* *William Gargan*	Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	Monster and the Girl (D) *Ellen Drew* *Rod Cameron*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*	Citizen Kane (D) 118 *Orson Welles*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) 4020 *Allan Jones*	Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) 133 *C. Grapewin* *Gene Tierney*	The Great Dictator (C) *Chas. Chaplin* *Goddard-Oakie*	Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14		The Penalty (D) *L. Barrymore* *Edward Arnold*	Air Devils (D) *Leo Gorcey* *Bobby Jordan*	In Old Colorado (O) 4052 *Boyd-Hayden*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *John Hubbard* 132		Double Date (D) *Peggy Moran* *Rand Brooks*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*		Sign of the Wolf (D) *Grace Bradley* *Louise Beavers*	The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) 135 *Walter Huston* *Jane Russell*	Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	At the Villa Rosa (D) *Judy Kelly* *Kenneth Kent*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	Washington Melodrama (D) *Frank Morgan*		Roundup (O) *Richard Dix* *Pat. Morison*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Mutiny in the Arctic (D) *Richard Arlen* *Andy Devine*	
Apr. 11		Men of Boys Town (D) *Mickey Rooney* *Spencer Tracy*		Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) 2-Gun Sheriff (O)	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*		Lady from Cheyenne (O) *Loretta Young*	
Apr. 18	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl (M) *Stewart-Lamarr* *Turner-Garland*		Border Vigilantes (O) *William Boyd* *Russell Hayden*	Pals of the Pecos (O) *3 Mesquiteers*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*		Flame of New Orleans (D) *M. Dietrich* *Bruce Cabot*	
Apr. 25	Under Age (D) *Nan Grey*	People vs. Dr. Kildare (D) *Lew Ayres*		Power Dive (D)	Rookies On Parade (C)	They Met in Argentina (M)	Inspector Hornleigh Goes	That Uncertain Feeling (C)	Model [illegible]e (D)	

PARAMOUN
SHORTS...
They Fill the Bil
They Fill the Til

February 21
Magnacolor
'POPULAR SCIENCE No. 4'

February 28
Paragraphic
'RED, WHITE AN
BLUE HAWAII'
(Magnacolor)

February 28
Grantland Ric
Sportlight
'FISHING FEVER'

March 7
Popeye the Sailo
'OLIVE'S SWEEPSTAKE TICKET'

100%
BOX OFFICE TESTED

'Command' in Philadelphia Pulls $15,200

PHILADELPHIA, March 5.—"Flight Command" gave the Stanley $15,200, in a week marked by sluggish box-offices and a rainy weekend. "Play G[illegible] at the Earle, with Ray Noble's [illegible]estra and Kitty Carlisle on the stage, made $19,800.

Estimated takings for the week ended Feb. 26-28:

"Fantasia" (Disney)
ALDINE—(1,400) (86c-$1.14-$1.71) 7 days, 2nd week. Gross: $17,500. (Average, $9,000)

"Tall, Dark and Handsome" (20th-Fox)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,000. (Average, $2,600)

"Cheers for Miss Bishop" (U.A.)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $13,000)

"Play Girl" (RKO)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Ray Noble's orchestra, Kitty Carlisle, Larry Stewart, Lynn, Lee & Lou, George Tapps, Joe & Jane McKenna. Gross: $19,800. (Average, $14,000)

"Behind the News" (Rep.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Waneta Bates (Miss St. Louis); Radianna; Gregory & Raymond with Cherie; Harry Levan & Letty Bolles; May, June & Penny, Jack McCoy. Gross: $7,500. (Average, $6,900)

"This Thing Called Love" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,200. (Average, $13,000)

"Philadelphia Story" (RKO)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd week, 2nd run. Gross: $7,000. (Average, $3,000)

"Gone With the Wind" (M-G-M)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $7,000. (Average, $4,500)

"Flight Command" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $15,200. (Average, $14,000)

"The Mad Doctor" (Para.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,800. (Average, $4,500)

Will Cut Program Length in France

News dispatches reaching here yesterday indicated that under a new ruling of the committee controlling the French film industry, effective April 2 the length of programs in French theatres will be limited.

In the unoccupied zone no program can exceed 4,300 meters (14,000 feet) plus newsreels, and no single film can exceed 1,800 meters. After Aug. 27 the program length will be cut still further, with programs confined to 3,800 meters and single films to 1,300 meters. The ruling will amount to a ban on double features.

P. R. C. Closes Deal On Near East Sales

Leon Fromkess, vice-president in charge of foreign operations for Producers Releasing Corp., has closed a deal for the 1940-'41 product in the Near East, with Abdul Karim and Co., in Iraq.

Beginning next week, six P.R.C. branches will be in operation in Canada, at St. Johns, Montreal, Toronto, Winnipeg, Calgary and Vancouver.

Selznick Buys 'Claudia'

David O. Selznick has acquired the film rights to "Claudia," play by Rose Franken now on Broadway, and the 30 stories she has written about the character. Miss Franken and her husband, William Brown Meloney, will do the screen play.

Talent Being Set for Greek Benefit

A number of prominent personalities have already volunteered to entertain at the Greek War Relief benefit show at the Radio City Music Hall at midnight March 28. Marvin Schenck is handling the production.

Among those already lined up are Burns and Allen, Deems Taylor, Raymond Gram Swing, Eddie Cantor, Jimmy Dorsey and orchestra, Ina Claire, Philip Merivale, Gene Kelly, Vivienne Segal, Carmen Amaya, James Barton, Johannes Steele, Wythe Williams, George Hamilton Coombs, Andrew Sisters, Music Hall Rockettes, and the Music Hall ballet and orchestra with Erno Rapee.

Tickets are priced from $1 to $10, obtainable at the Music Hall lobby. Adolph Zukor is head of the sponsoring committee.

McLelland Barclay is contributing his services in the creation of a cover design for the souvenir program.

An international cartoon exhibition is being planned for the Greek War Relief Association by P. S. Harrison, publicity director. The show will be handled by John McGrail.

In response to letters to cartoonists, 100 originals already have been received. The show will be held either late this month or early in April.

'Fantasia' Pittsburgh Opening for Greek Relief

PITTSBURGH, March 5.—"Fantasia" opened here tonight at the Fulton for the benefit of the Greek War Relief Fund, with the cooperation of the local Variety Club. A press preview was held last night. Toni Spitzer is here from New York on publicity for the film, following Helen Hoerle, who handled the advance campaign.

Janitors in Seattle Get Wage Increase

SEATTLE, March 5.—Effective this week, janitors in all theatres in this city will receive an eight per cent wage increase, effective until Jan. 1, 1943. Negotiations resulting in this agreement were conducted by Local 6 of the Building Service Employes' Union and the Seattle Theatre Managers' Association over a two-month period. Fifty-six janitors employed in 46 theatres are affected.

Negotiations will start next week relative to an increase in wages for all usherettes, doormen and cashiers, it was announced by Basil Grey, chairman of the theatre union committee.

Support Detroit Strike

CHICAGO, March 5.—Full support was voted to Ray Carroll, who is directing the strike of theatre janitors in Detroit by the executive board of the Building Service Employes International Union. It also was decided to ask Detroit projectionists to declare a sympathy strike.

Roach Is Here for 'Topper' Showing

Hal Roach, producer of "Topper Returns," new United Artists release, is here to attend the trade and press preview showing of the picture at the Astor Theatre on March 11 at 11:15 A.M. On the same day, at 1 P.M., a press preview and trade showing of the film will be held at the Fox Boulevard Theatre in Los Angeles.

Associates to Plan Membership Drive

Plans to acquire club rooms and for a membership drive will be discussed at a special meeting and luncheon of the Motion Picture Associates at 1 P.M. Saturday at the Hotel Lincoln. This is the first M. P. A. meeting called by Joseph J. Lee of 20th Century-Fox, who recently was elected president of the organization.

Closes 'Tarzan' Deal

Crystal Pictures, Inc., has closed with Burroughs-Tarzan Enterprises, Inc., of California for distribution of "New Adventures of Tarzan" for the United States and Canada.

Conn. Allied Meets, Weighs Legislation

NEW HAVEN, March 5.—Allied Theatre Owners of Connecticut, at a meeting here yesterday, discussed the measure before the Connecticut legislature calling for a tax of 25 per cent on the gross of copyright societies, which would affect Ascap. Hearings will be held on the bill on March 13 at Hartford.

Exhibitors also plan to attend the legislative hearings on the bill to regulate the operation of boiler equipment in theatres.

'Western' Is Good in Loop With $43,000

CHICAGO, March 5.—"Western Union," with Jane Froman and Matty Malneck on the stage at the Chicago drew $43,000. The first week's management of the Oriental by Michael Todd with a reissue of "Hell's Angels" plus a variety show grossed $19,000.

Estimated takings for the week ending Feb. 28:

"Fantasia" (Disney)
APOLLO—(1,400) (75c-$1.10-$1.65) 7 days. Gross: $18,000. (Average, $6,500)

"Western Union" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Jane Froman, Matty Malneck Orchestra. Gross: $43,000. (Average, $32,000)

"Virginia" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,000. (Average, $5,000)

"Hell's Angels" (Elman)
ORIENTAL—(3,200) (25c-40c) 7 days. Reissue. Stage: Variety show. Gross: $19,000. (Average, $13,000)

"Back Street" (Univ.)
"Six Lessons from Madame LaZonga" (Univ.)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $21,000. (Average, $13,000)

"High Sierra" (W. B.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. 2nd week. Gross: $9,500. (Average, $11,000)

"Michael Shayne, Detective" (20th-Fox)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: International Casino Revue. Gross: $18,000. (Average, $15,000)

"Philadelphia Story" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 5th week. Gross: $9,000. (Average, $14,000)

A ★ M ★ P ★ A

cordially invites all members of the motion picture industry and its affiliates to a luncheon meeting

TODAY – MARCH 6
SUN ROOM – HOTEL EDISON
(Serving at 12:45 Precisely)

Our honored guest speaker will be

WM. F. RODGERS
General Sales Manager
METRO-GOLDWYN-MAYER PICTURES

ROASTMASTER, HARRY GOLDBERG
Warner Bros. Theatres

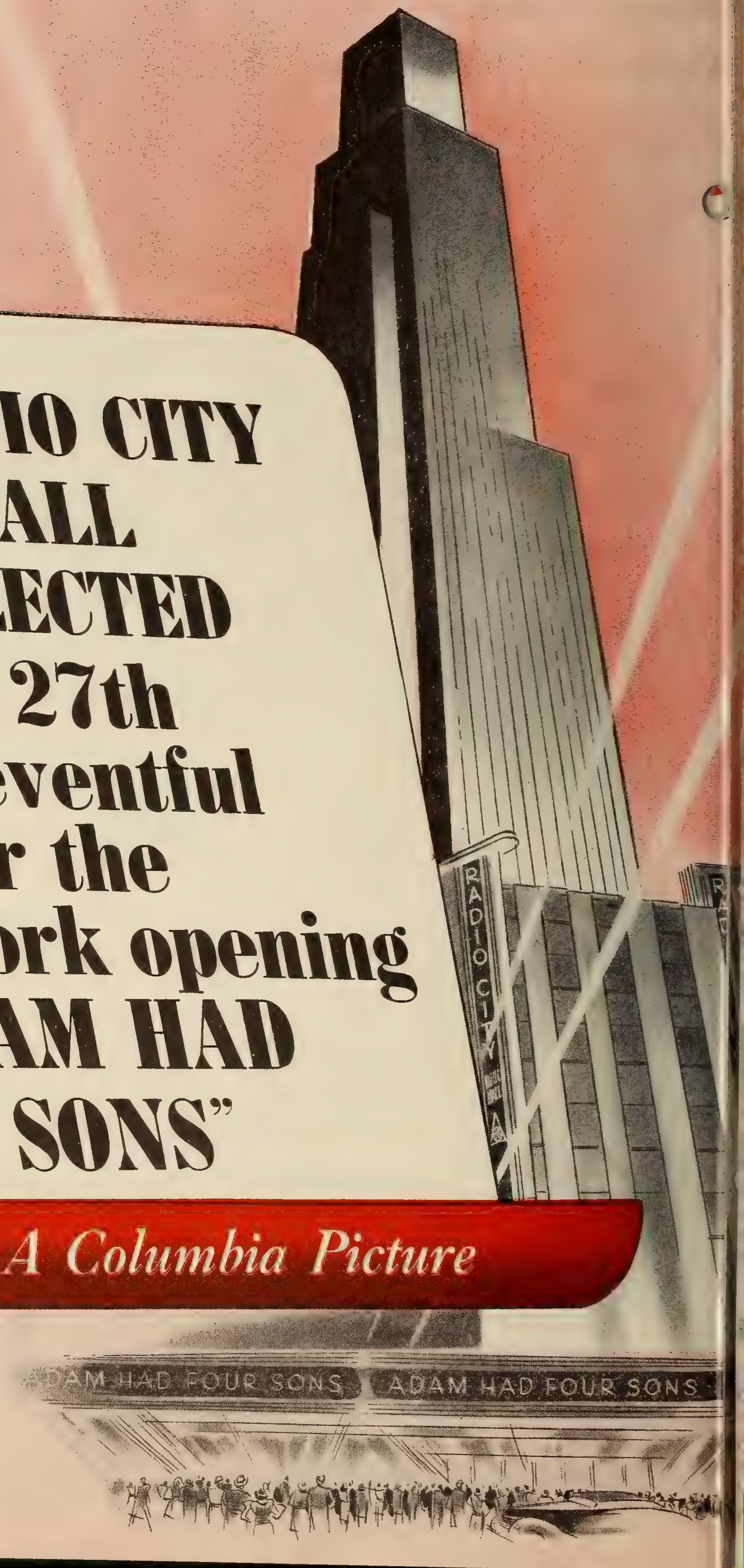
SONGS BY OLGA KARGAU
MUSIC BY JACQUES DALLIN

Tariff: $1.25 including tip. Tables of 10 may be reserved. Call Miss Gleitzman, Circle 6-5000.

Don't forget you have a date, Friday, April 4!
Make your RESERVATIONS NOW for the big
A M P A SILVER JUBILEE
Dinner Dance and Entertainment, Benefit RELIEF FUND
Grand Ballroom, Hotel Edison
Tickets: Edw. Schreiber, Warner Bros.
Main Floor, $5 per person—Boxes, $10 per person

THE RADIO CITY MUSIC HALL HAS SELECTED MARCH 27th as the eventful date for the New York opening of "ADAM HAD FOUR SONS"

A Columbia Picture


RADIO CITY
ADAM HAD FOUR SONS
ADAM HAD FOUR SONS

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 46 NEW YORK, U. S. A., FRIDAY, MARCH 7, 1941 TEN CENTS

Justice Dep't Won't Govern Decree: TNEC

Left to Trade Members, Industry Report Says

The United States Department of Justice, instead of assuming enforcement of the recently signed consent decree in the motion picture industry, appears to have specifically resigned these powers, it is stated in a report on the industry prepared for Congress by the Temporary National Economic Committee.

Instead of assuming enforcement itself, the report states, the Department of Justice has imposed enforcement of the decree on the members of the industry, "and, to a considerable extent, on the weaker members."

The reference is to the necessity of exhibitors bringing complaints under the arbitration system, which is a part of the decree.

The film industry report, one of

Continued on page 9)

Quigley Winners On Coast March 17

E. C. Callow of Warners' Philadelphia Theatres, winner of the 1940 Silver Plaque awarded by Managers' Round Table of *Motion Picture Herald,* and J. R. Wheeler, manager of Great States' Granada Theatre, South Bend, Ind., Bronze Plaque winner, are scheduled to arrive in Hollywood March 17 for the presentation ceremony. The presentation will be made next day at the Beverly Wilshire Hotel.

They will be entertained during their week's stay on the Coast as guests of Quigley Publications by a committee composed of all Hollywood

Continued on page 9)

Harry Warner Due Here on March 15

Harry M. Warner, president of Warner Bros., is expected to arrive here on March 15 for home office conferences and a visit with Jack Warner, vice-president in charge of production, who is now here looking for plays and stories. The latter arrived from California about a week ago.

U. S. and Little 3 Confer Today on Schine Trust Suit

A conference on procedure for trial of the Government anti-trust suit against the Schine Circuit and the "Little Three" in Buffalo is scheduled to be held here today by Government and defense attorneys.

Developments within the next few days are expected to determine whether the Schine suit will be the first of the four Government anti-trust actions still pending against the Little Three to go to trial.

Indications recently were that a consent decree eliminating the circuit from the action might be agreed upon, in which case one of the other three actions probably would be tried first. A Government spokesman, however, recently asserted that the decree negotiations had collapsed and indicated that, as a result, the Schine action in

(*Continued on page* 12)

Republic Acquires Midwest Franchise

Republic has acquired from Harry Mandel distribution franchise rights for the Chicago, Milwaukee and Indianapolis territories, James R. Grainger, president, announced yesterday at the opening of the company's Eastern regional sales meeting here. Republic now operates directly eight exchanges.

The deal is already effective. Grainger said that Jack Frackman, manager of the Milwaukee office; L. W. Marriett, Indianapolis manager, and Harry Lorch, Chicago manager,

(*Continued on page* 12)

Ga. Senate Passes Anti 5-Block Bill

Atlanta, Ga., March 6.—The Georgia Senate today passed a block booking bill permitting distributors to offer their full season's program with a 20 per cent cancellation privilege to the exhibitor. The measure now goes to the House for action. A similar bill seeking to set aside the blocks-of-five provision of the Federal consent decree is pending in the Minnesota legislature.

Arbitration Cases Now Total 23 With 3 New Ones Filed

Three new demands for arbitration were filed with local boards at Buffalo, New Orleans and Dallas yesterday, according to reports to American Arbitration Association headquarters here. The complaints bring the total on file to 23, in 12 local boards.

The Buffalo complaint was filed by A. A. Carlson, owner of the Carlson, Mayville, N. Y., against all five consenting companies and asks an adjustment on clearance. Carlson requests a finding that his theatre is entitled to play day and date with the competing Jamestown Theatre. The complaint is the second on file in Buffalo.

Charles J. Wollner, operator of the Drive-In Theatre, New Orleans, who last week filed a "some run" and clear-

(*Continued on page* 12)

"That Night in Rio"

[20th Century-Fox]

Hollywood, March 6

WITH five hit songs in its score, a good plot with many lively situations and hilarious climax, a cast headed by Alice Faye, Don Ameche and Carmen Miranda and a lavish production, "That Night in Rio" is one of the sprightliest musical comedies to come to the screen in a long time.

The songs are by Mack Gordon and Harry Warren, there are elaborately staged dances by Hermes Pan and the costuming drew "oh"s and "ah"s from the ladies present in the preview room. The songs (which you'll be hearing around) include "I'yi, Yi, Yi, Yi (I Like You very Much)," "Chica, Chica, Boom, Chic," "Boa Noite," "They Met in Rio" and "The Baron Is in Conference."

Carmen Miranda is at her vivacious best, which means her songs and dances have a lilt and a tingle, Don Ameche is in a dual role as a night club entertainer and a baron and sometimes both, and Alice Faye, as the wife of the baron, provides a skillful interpretation of the role.

As Larry Martin, the night club entertainer, Ameche's best act is an imitation of Baron Duarte. When the latter gets into business difficul-

(*Continued on page* 12)

'Let Us Have Unity' Rodgers Urges Trade

Pleads for Conciliation In Ampa Address

By SAM SHAIN

"Conciliate first—but failing in this, let us make use of the machinery which has been set up to settle our differences — arbitration. Conciliation and arbitration are the paths to industry harmony."

W. F. Rodgers

Thus did William F. Rodgers, general sales manager of M-G-M, plead yesterday before an audience of more than 300, of which number fully 200 were theatre operators and exhibitor representatives, at the regular bi-weekly luncheon meeting of Ampa held at the Hotel Edison at which he was the principal guest and speaker.

Rodgers spoke extemporaneously. He had been scheduled to speak on publicity and advertising, but apparently because of the unusually large number of theatre men present, he put his prepared speech aside and addressed himself to exhibitor problems and the consent decree. His keynote was fair dealing and industry unity.

(*Continued on page* 12)

'Confidence, Goodwill'

"On 'Boom Town,' 4,500 exhibitors voluntarily increased their box-office scales, and when we offered 'Gone With the Wind,' at terms of 70-30, with a profit guaranty of 10 per cent, 80 per cent of those who bought the picture didn't ask for the guaranty, knowing we would make good," William F. Rodgers yesterday told the Ampa.

"That's confidence—that's goodwill," said Rodgers.

Opening Hours in London Extended

London, March 6.—Beginning tomorrow, film theatres in the West End area of London will be permitted to extend their operating hours to 8:30 and 9 P.M. daily, including Sundays.

Golden Prepares First Production

Hollywood, March 6.—Edward A. Golden, former vice-president in charge of distribution for Monogram, who recently formed University Film Productions, Inc., here, is making arrangements for his first production, tentatively titled, "The Kiss of Death."

It is planned, according to Golden, to distribute the film on a roadshow basis through representatives in key cities of the United States and Canada.

The film, from an original story by M. C. Ransone, deals with a phase of American national defense, according to Golden, and has been prepared with the assistance of health authorities. It is expected to go into work this month, with release set planned for early in June.

Lubitsch on 3-Year 20th-Fox Contract

Hollywood, March 6.—Ernst Lubitsch was signed today by 20th Century-Fox to a producer-director contract for three years. The contract will start after he completes one more picture with Sol Lesser for United Artists release.

Gov. Lehman Host At Orphans' Party

Gov. Herbert H. Lehman will be host tomorrow morning at the Brooklyn Strand Theatre at the 11th annual party for children from orphanages in the borough. The program includes a film show and musical entertainment.

Lindy's
INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

Barney Balaban, Paramount president, and Austin C. Keough, vice-president and general counsel, will return to New York on Monday from Florida.

•

William F. Rodgers leaves today for Florida and later will go to the Coast.

•

S. Barret McCormick, RKO advertising and publicity director, will leave for the Coast tonight.

•

Fred Lynch, film buyer for the Schine Circuit, is in town from Gloversville, N. Y.

•

S. Charles Einfeld, director of Warner advertising and publicity, has returned to the studio following three weeks in Honolulu.

•

Frank Alstock has returned here from Hollywood and Washington.

•

M. A. Milligan, former Paramount general sales manager in Canada, who resigned recently because of ill health, has left Toronto for an extended tour of the Americas.

•

Norman Corwin has returned from the Coast.

T. J. Connors, Eastern, Southern and Canadian sales manager for M-G-M, is expected back Monday from Florida.

•

Oscar Doob, director of advertising and publicity for Loew's Theatres is at home ill.

•

Emanuel Silverstone, Edward Peskay and Monroe Greenthal at Lindy's (next to the Rivoli) yesterday for lunch.

•

David Griesdorf, Charles Stern, J. J. Milstein, Arthur Gottlieb and Jack Goetz lunching yesterday at Lindy's (51st St.).

•

Maurice Gibbons, head of Bermuda General Theatres, is in town on a periodical business visit. He will return in about two weeks.

•

Joseph Bernhard, Sidney Phillips, Ralph Austrian, J. J. Unger, Charles M. Reagan and Lou Dreyfus having lunch at Nick's Hunting Room in the Astor yesterday.

•

Stanley Hand, Altec Service staff representative, has returned from the Southwest and Midwest.

9 Additional Dates Set on 'John Doe'

Nine additional test runs have been set at one-third higher scales on the Capra-Riskin film, "Meet John Doe," released by Warners, bringing the total of such engagements to 25. All runs will be on a single feature basis.

The additional engagements are: Victory, Charleston, March 14; Warfield, San Francisco, March 14; Orpheum and Fifth Ave., Seattle, March 19; State, Tampa, March 19; Playhouse, St. Petersburg, March 20; Majestic, Providence, March 21; Grand, Terre Haute, March 23; Grand, Evansville, March 25.

'Wings' Opening Also In San Antonio, Tex.

Chicago, March 6.—Paramount's "I Wanted Wings" will be given a premiere in San Antonio, the Southwest's aviation center, on March 26, in addition to the premiere the same evening at the Astor on Broadway. This was disclosed here tonight by Robert M. Gillham, Paramount advertising and publicity director, en route to the Coast where he will make preparations for the openings.

Club Raises Money For 2 Ambulances

St. Louis, March 6. — The St. Louis Variety Club has raised enough money to purchase two ambulances for Great Britain. Members are making plans for a midnight show at the Fox Theatre March 29 for the benefit of victims of infantile paralysis.

Broones Repub. Producer

Hollywood, March 6. — Martin Broones, former M-G-M music department head, today was signed as an associate producer by Republic.

Wobber in Denver, Sets 'Road' Opening

Denver, March 6.—Herman Wobber, general manager of distribution of 20th Century-Fox, arrived here today by plane from New York. During a stopover he disclosed that "Tobacco Road" will open at the Fox Denver on March 18. Poor flying weather caused him to make his visit short, and he boarded a plane for Salt Lake City earlier than he had expected. He will visit also Portland and San Francisco before proceeding to Los Angeles.

Rudd Vice-President Of Newsreel Circuit

Major A. J. Rudd, general manager of the Newsreel Theatres, Inc., since July, 1937, was elected a vice-president of the company at the annual meeting of the corporation yesterday.

Other officers of the company are: W. French Githens, president; Harold E. Wondsel, vice-president, and Francis Carter Wood, secretary-treasurer. Among other houses, the company operates the Embassy, Broadway newsreel house.

W. B. Promotes Harwell

Mansfield, O., March 6.—William Harwell, manager of the Warner Ohio here since 1938, has been promoted to the post of city manager and will have general supervision of the three Warner houses here. Benjamin Schwartz, who managed the Ohio before Harwell assumed that position, and who has been with a Cleveland circuit since that time, will resume as manager of the Ohio.

Sam Katz to Chicago

Hollywood, March 6.—Sam Katz, M-G-M studio executive, left tonight for Chicago on a 10-day trip.

Newsreel Parade

In addition to the general news, the newsreels in their weekend issues offer war news from England and domestic defense subjects, with coverage on baseball, boxing and basketball for the sports fans. The contents:

MOVIETONE NEWS, No. 52—Sma army cars made at Ford plant. Il steel mills busy with defense orders. F warships in Scotland port. New Zea troops in rally for retiring general. English lads learn to fly. California family includes 17 children. British babies under Red Cross protection. Golden Gloves boxing. Army-Navy basketball. Ski jumping in Washington.

NEWS OF THE DAY, No. 250—Royal Air Force training. London children in exodus. Machine gun defenses in England. Carnival in Rio de Janeiro. New army cars at Ford plant. Biggest California family on picnic. Baseball stars in Spring training. Basketball.

PARAMOUNT NEWS, No. 55—Golden Gloves. Baseball Spring training. Ski jumps in Washington. Belated Christmas celebration in Louisiana. Academy Awards inventors' convention in Dallas. New York baby, feared kidnapped, is found.

RKO PATHE NEWS, No. 55—Training at Fort Dix. Boy Scout leader in Africa. Ford's combat cars for the army. New ship for South American run is launched. Wallace addresses Spanish students. Carnival in Rio. Culinary show in Chicago. California family of 17 children on picnic. Army-Navy basketball. Golden Gloves. Baseball teams in training.

UNIVERSAL NEWSREEL, No. 960—Invasion maneuvers in England. British coast patrol rescues stranded sailors. New reconnaissance cars for the army. Radio engineering students graduate. Aircraft workers donate engines to England. New cargo ship for South American run. Inventors' convention in Dallas. Auto race in Connecticut. Army-Navy basketball. Baseball players in Spring training. Golden Gloves. Skiing.

Columbus Club Will Dine Ohio Officials

Columbus, O., March 6.—The local Variety Club on March 14 will hold a dinner, to which have been invited the Governor and his staff, the heads of the various state departments, county and city judges and the heads of the county and city departments.

The affair is being staged to acquaint the officials with the aims of the Variety Club. The committee in charge of the dinner includes: Myron B. Gessaman, chairman; Col. Lynn Black and P. J. Wood.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)
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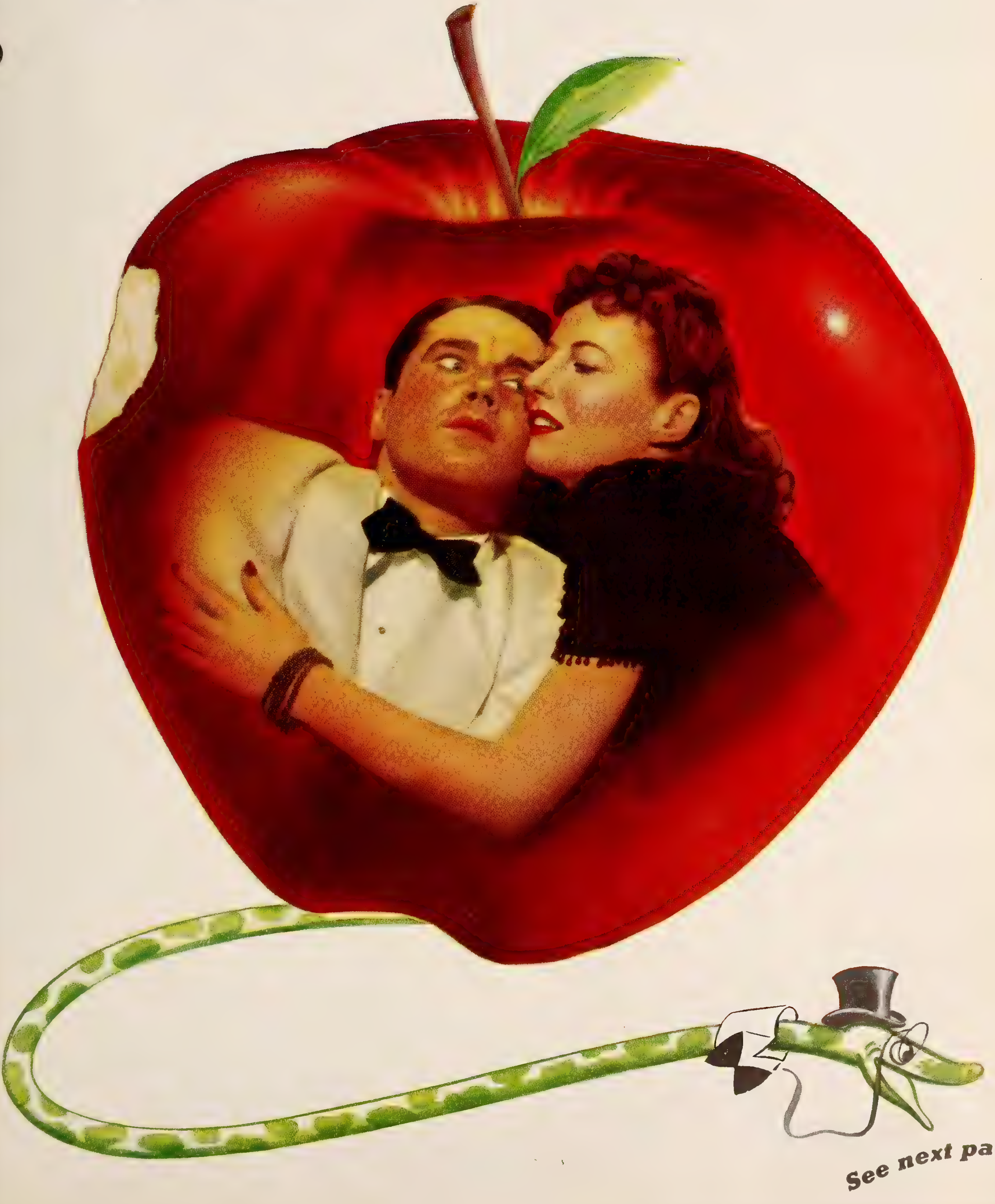
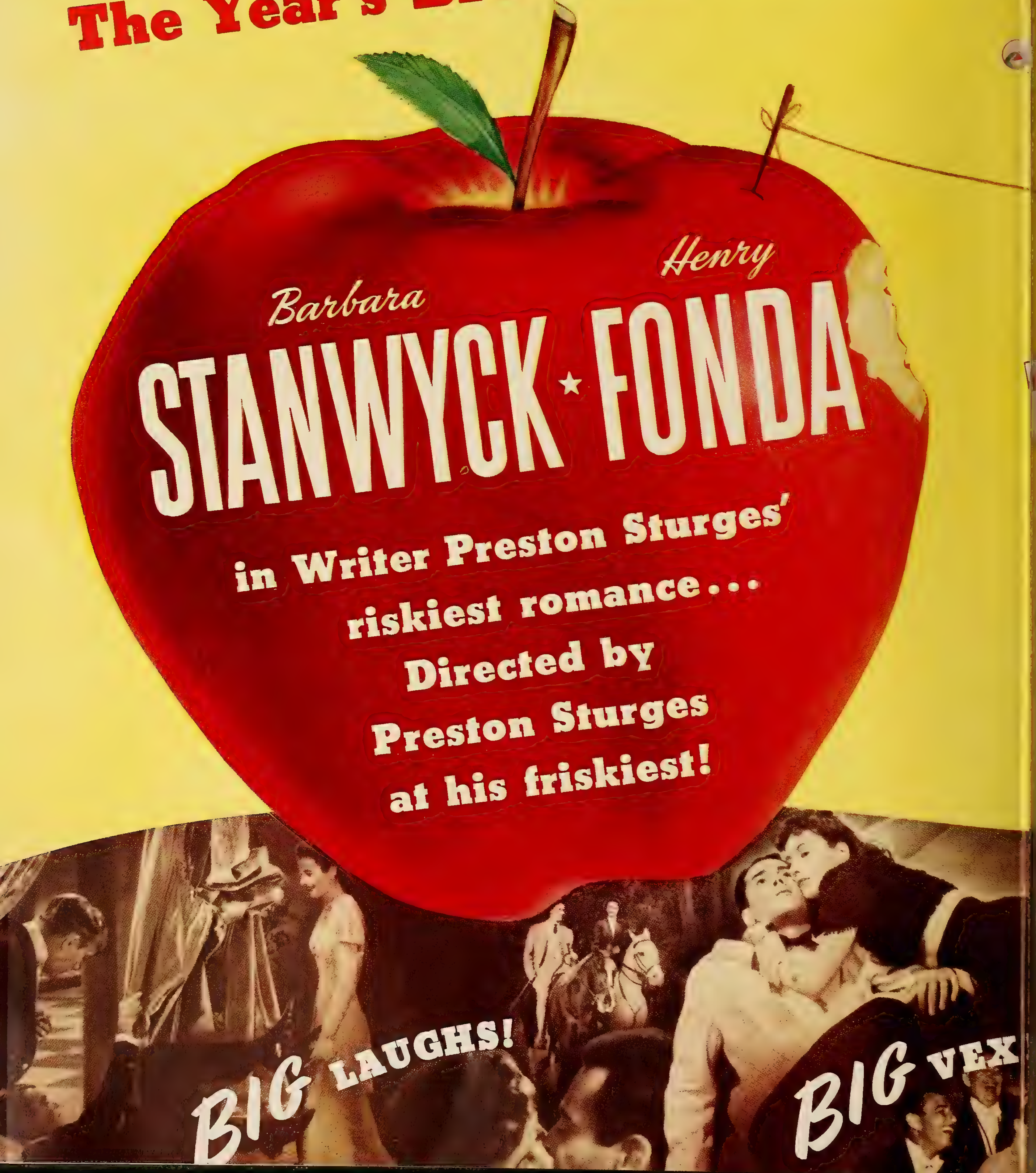
Here's something Showmen can get their teeth into! . . .

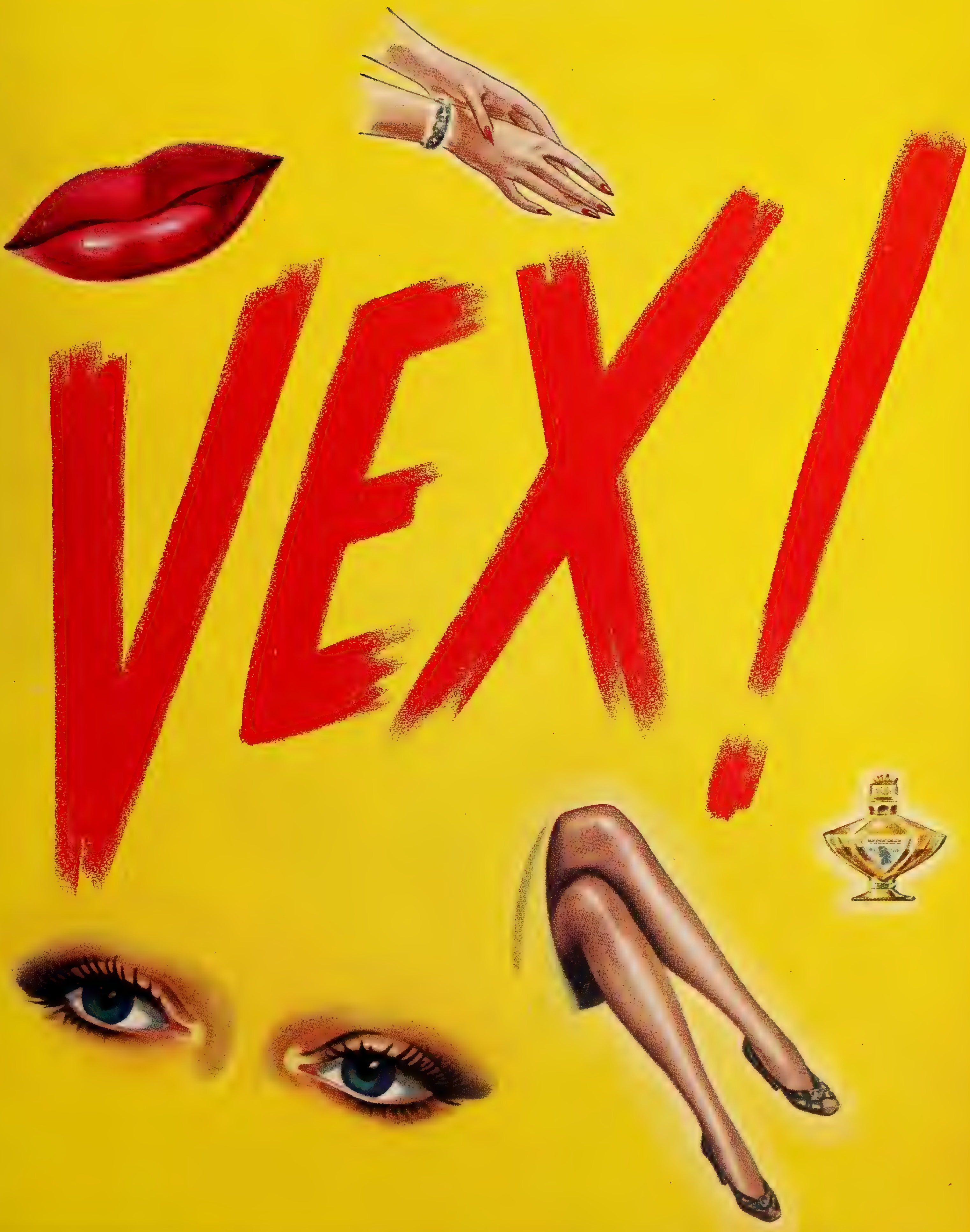


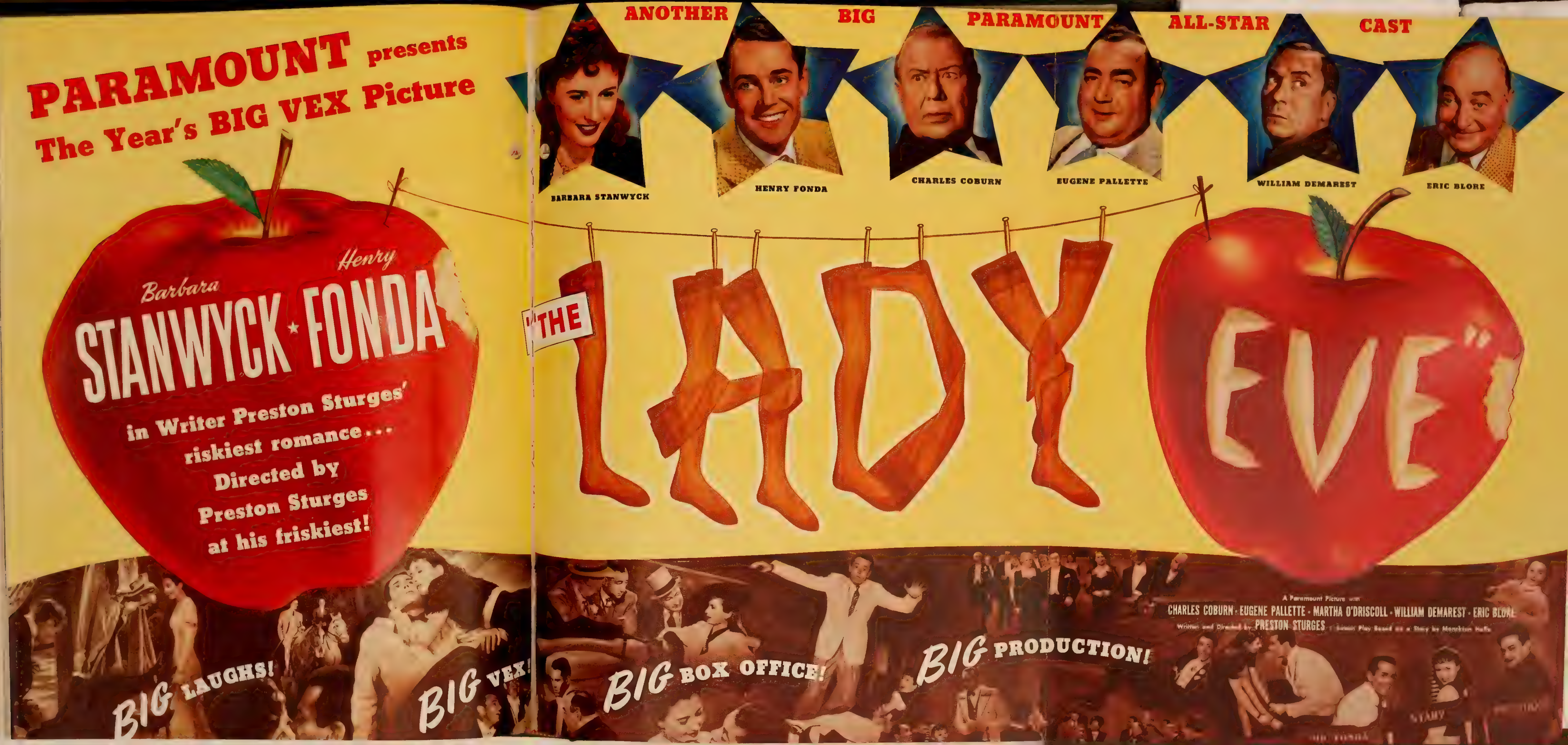
See next page . .

PARAMOUNT presents The Year's BIG VEX Picture


Barbara
STANWYCK ★ Henry FONDA
in Writer Preston Sturges' riskiest romance... Directed by Preston Sturges at his friskiest!
BIG LAUGHS!
BIG VEX

...and here's something that audiences can get their teeth into!





PARAMOUNT presents

The Year's BIG VEX Picture

ANOTHER BIG PARAMOUNT ALL-STAR CAST

BARBARA STANWYCK
HENRY FONDA
CHARLES COBURN
EUGENE PALLETTE
WILLIAM DEMAREST
ERIC BLORE

Barbara STANWYCK · Henry FONDA

in Writer Preston Sturges' riskiest romance... Directed by Preston Sturges at his friskiest!

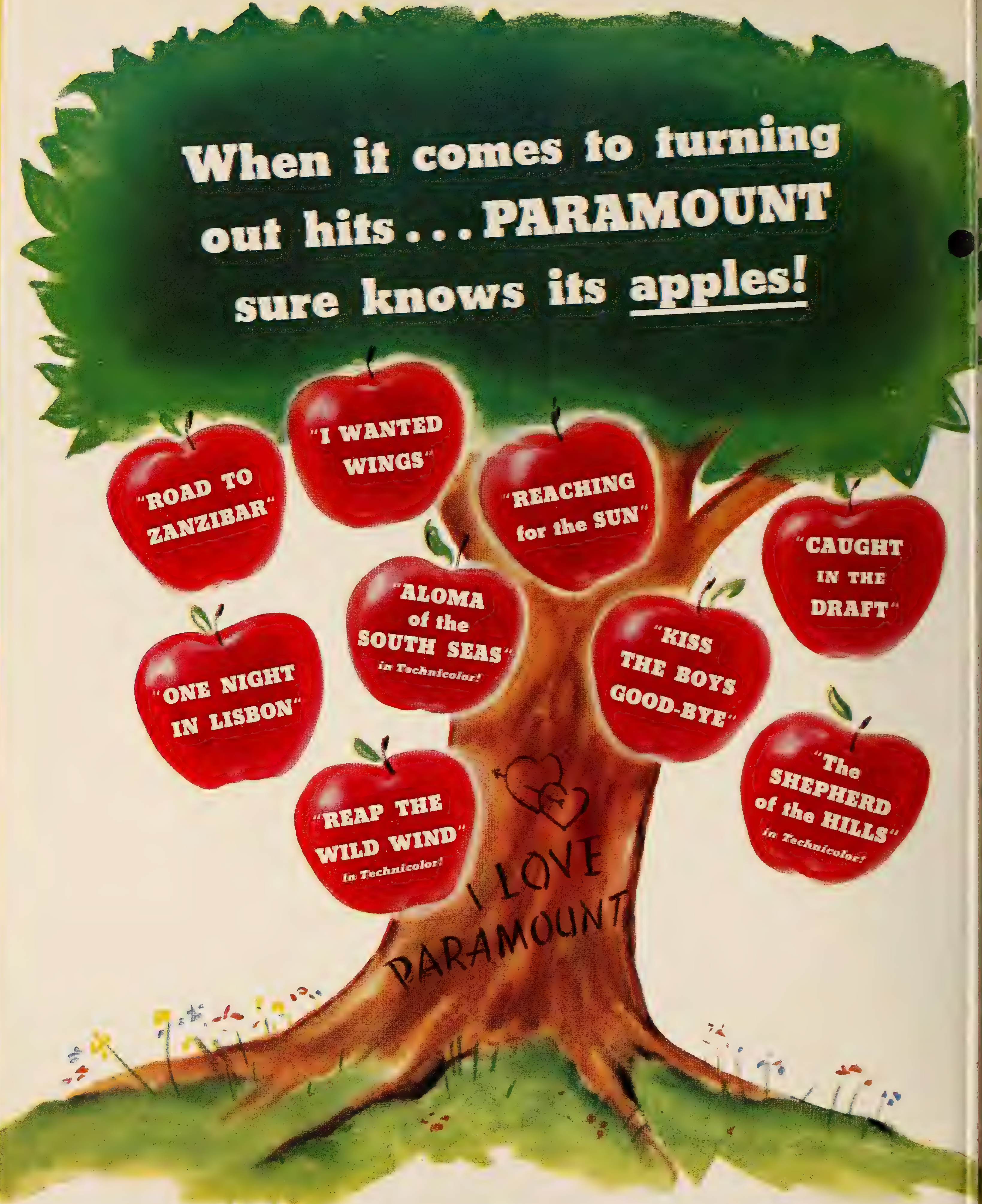
"THE LADY EVE"

A Paramount Picture with

CHARLES COBURN · EUGENE PALLETTE · MARTHA O'DRISCOLL · WILLIAM DEMAREST · ERIC BLORE

Written and Directed by PRESTON STURGES · A Screen Play Based on a Story by Monckton Hoffe

BIG LAUGHS! BIG VEX! BIG BOX OFFICE! BIG PRODUCTION!


When it comes to turning out hits . . . PARAMOUNT sure knows its apples!
"ROAD TO ZANZIBAR"
"I WANTED WINGS"
"REACHING for the SUN"
"CAUGHT IN THE DRAFT"
"ALOMA of the SOUTH SEAS" in Technicolor!
"ONE NIGHT IN LISBON"
"KISS THE BOYS GOOD-BYE"
"The SHEPHERD of the HILLS" in Technicolor!
"REAP THE WILD WIND" in Technicolor!
I LOVE PARAMOUNT

Paramount Pictures

TNEC Completes Report on Film Industry

Sunday Is Called Best Theatre Day

Sunday is rated as potentially the best day of the week from a box-office standpoint, according to the film industry report of the T.N.E.C. The days of the week in relation to attendance are rated by percentages as follows: Monday, 10 per cent; Tuesday, 10; Wednesday, 10; Thursday, 10; Friday, 15; Saturday, 20, and Sunday, 25.

Loan System Seen Cutting Competition

The T.N.E.C. film industry report claims the Hollywood star loan-out system minimizes competition among the major companies, and is one in which it is difficult for independent producers to participate. Since 1933, the report says, the number of star loans of major producers have been:

Loew's, 610 to majors, 56 to independents; Paramount, 439 and 46; 20th Century-Fox, 251 and seven; Warners, 223 and 12; Universal, 198 and 11; Columbia, 175 and 36; RKO, 109 and 12.

The report, in the course of its recitation of the history of the industry, declares that "sound pictures saved the day" in 1926, when the industry was suffering from "reckless spending and extravagance" and from the introduction of the "assembly line technique of picture-making, resulting in poor quality pictures."

Box-Office Analysis

The report claims that of the "high-quality" features which yielded the greatest box-office returns during the past several years, 20th Century-Fox, Paramount, RKO and Warners collectively released about 20 per cent, while Columbia, United Artists and Universal released about 15 per cent.

On June 16, 1938, Congress created the Temporary National Economic Committee, with a membership of 12, three each from the Senate and House, and one each from the Departments of Justice, Treasury, Labor, Commerce, the Securities and Exchange Commission and the Federal Trade Commission.

Theodore J. Krepps, Economic Adviser of the T.N.E.C., submitted the report to Sen. Joseph C. O'Mahoney, chairman of the committee. The document runs 83 pages.

Quigley Winners On Coast March 17

(*Continued from page* 1)

studio publicity heads. The committee includes: Jock Lawrence, Robert Taplinger, George Brown, Howard Strickling, Harry Brand, Perry Leiber, Lou Smith, John Joseph, Al Vaughan, John Johnston, Jerry Dale, George Glass, Frank Seltzer, John Miles, Victor Shapiro, Catherine Hunter, Janet Martin, Lou Lifton, Walter Compton and William E. Raynor, Jr.

U.S. Not Governing Decree, Report of TNEC Declares

(*Continued from page* 1)

many on various industries in the country, is designed as a Congressional guide toward remedial legislation if necessary. The monograph is the result of investigation and compilation by a staff of Government economists and investigators working for more than a year.

The report on the film industry is one of the first ready for submission because the history of the picture business encompasses a period of only about 40 years, and because it is said to present a clear picture of the typical pattern of American business as it is constituted today.

Cites Films' Importance

"The motion picture . . . has evolved into an important social and cultural force," the report says. "Its importance must be measured in terms other than the conventional one of dollars and cents."

The report traces the history of the film industry from its beginnings. It is pointed out that conclusions in the report, "are not recommendations but summaries of the facts . . . they . . . should be of inestimable value to the Congressional committees vested with the duty of reviewing proposed legislation which occurs each year."

The motion picture in a few years, the report says, "has changed from an activity in the hands of a large number of small and financially weak individuals to an industry controlled by a few large companies which dominate its policies and control its actions."

The history of block booking is traced, and, according to the T.N.E.C., the practice has been opposed almost from its inception by independent exhibitors.

Some concessions were obtained by independent exhibitors under the NRA code, although "control of the industry remained undisturbed under it," the report says.

Trade Disputes Classified

Most of the trade practice controversies of the industry may be divided into two classifications, according to the report. One class "includes distributor organizations that maximize their profits at the expense of the exhibitors and the public. . . . The other class comprises those practices which small exhibitors contend have been used by large exhibitor organizations to drive them out of business or place them in subordinate competitive positions."

The report cites the alleged control by the major distributors of the more important exhibition outlets, and declares that the Neely block booking bill would not be a solution, and would plunge the industry into "a new period of extensive and costly litigation."

Blind selling is described as working to the disadvantage of the independent exhibitor and the public. Overbuying by large interests to keep product from smaller exhibitors "is a constant threat to the small exhibitor competing with a powerful opponent," the report says, and "when undertaken with the express purpose of eliminating competition, is almost certainly a violation of the Federal anti-trust statutes."

The industry report is officially known as "Monograph 43, the Motion Picture Industry—A Pattern of Control." It was written by Daniel Bertrand, administrative assistant to the T.N.E.C.; W. Duane Evans, Senior Economist, Bureau of Labor Statistics, U. S. Department of Labor, and E. L. Blanchard, a member of the T.N.E.C. staff.

The report is part of the work of the group investigating the "concentration of economic power" in "big business" in the United States, as recommended by President Roosevelt in April, 1938, in a message to Congress.

The President acted, he stated, because "among us today is a concentration of private power without equal in history" and "this concentration is seriously impairing the economic effectiveness of private business."

Distributor Control Of Theatres Noted

Citing control of theatres by producer-distributors, the film industry report of the Temporary National Economic Committee lists ownership or affiliation as follows:

Paramount, 1,273 theatres; Warners, 557; 20th Century-Fox 538; RKO, 132; Loew's, 122. This adds up to a total of 2,622 houses.

Eight Majors Rule 70% of Production

Seventy percent of all producing is in the hands of the eight major companies, according to the Temporary National Economic Committee's film industry report. The total of production from the seasons of 1930-'31 to 1938-'39, inclusive, is shown as follows:

Season	*Total*
1930-'31	510
1931-'32	490
1932-'33	510
1933-'34	480
1934-'35	520
1935-'36	517
1936-'37	535
1937-'38	450
1938-'39	526

"A MAN BETRAYED"
"What's going on, Sabra . . hush money?"
"Sh! It's the big pay-off."
A NATIONALLY ADVERTISED REPUBLIC PICTURE
JOHN WAYNE · FRANCES DEE
EDWARD ELLIS
WALLACE FORD · WARD BOND · HAROLD HUBER
ALEXANDER GRANACH · JOHN H. AUER—Director

HAROLD LLOYD'S ROUGH
LAUGH SHOW BOMBA

San Francisco, scene of a hundred premieres with Hollywood stars and all the rest, got a new thrill Wednesday...as ALL OPENING DAY RECORDS FOR YEARS WERE SHATTERED BY RKO RADIO'S SENSATIONAL SURPRISE HIT! . . .

Crowds that started lining up at 8:30 A. M. jammed the Golden Gate Theatre all day long. They laughed! They howled! They roared...and went out shouting the praises of the big two-ocean naval comedy...agreeing enthusiastically with the Chronicle reviewer, who said: "If this film doesn't tickle every rib in your body, brother, you're ready for the ash heap."

Boys, the fleet's IN!...All the good things you've been hearing about Harold Lloyd's first production are TRUE!...It's ROUGH, ROWDY, ROMANTIC—AND SENSATIONALLY BOX OFFICE!

GEORGE LUCILLE EDMOND

MURPHY ★ BALL ★ O'BRIEN

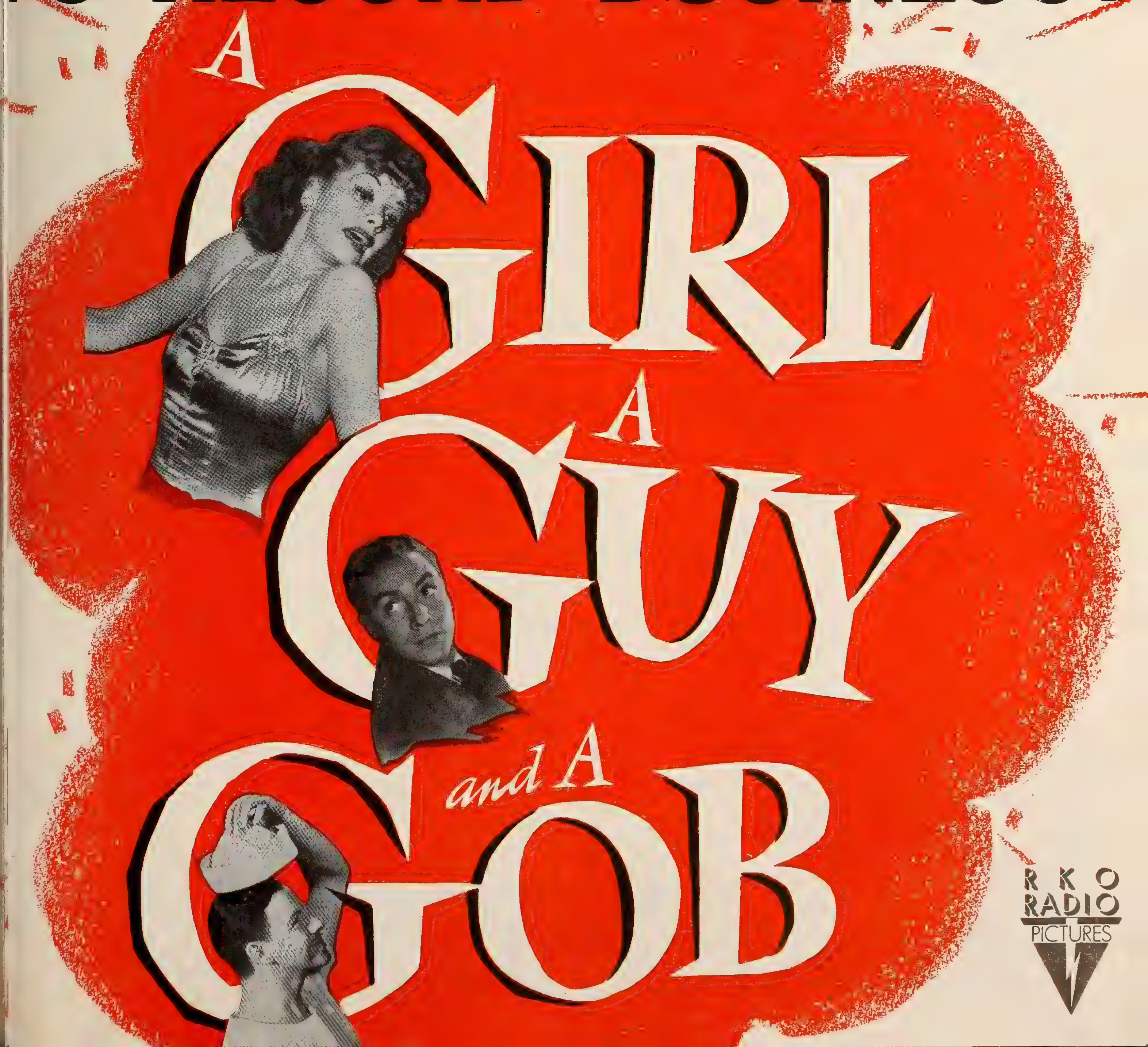
HENRY TRAVERS • FRANKLIN PANGBORN *DIRECTED BY* RICHARD WALLACE

SCREEN PLAY BY FRANK RYAN AND BERT GRANET PRODUCED BY

HAROLD LLOYD

ROWDY and ROMANTIC

S THE GOLDEN GATE
TO RECORD BUSINESS!


A
GIRL
A
GUY
and A
GOB

RKO
RADIO
PICTURES

'Let Us Have Unity' Rodgers Urges Trade

(*Continued from page* 1)

The M-G-M chieftain asked for harmony in the trade.

"In times of industrial and national crises such as all of us are facing now, we should do all we can for unity," he said.

He urged that the consent decree be given a fair trial and delved also into the humanitarian side of the business, and the work which is being done by individuals and by groups to help alleviate the suffering of the unfortunates in the trade and even of others outside the industry.

"The consent decree deserves a fair trial," Rodgers stated. "We didn't ask for it. We had no choice but we have decided and it was the best course to pursue under the circumstances, and we will stick by it.

"This is no time for misunderstanding among people who have the same objective. There is a bond of friendship—even affection—among us in the various branches of the trade comparable perhaps in no other industry.

"It's fair dealing we want on both sides, and if we have that, what difference does it make how we sell pictures—singly, or in blocks of two, five, ten or twenty. I think it is high time to abandon mistrust of one another."

Then he went on to tell how M-G-M was tackling the problem and about the instruction which he had sent to all the sales force, at home and in the field.

"All of M-G-M's sales force has been instructed that the company will not countenance any violation of the provisions of the decree. We also have written to all of our customers outlining the company's stand in this regard.

"We will countenance no subterfuge in dealing with our customers and we will not ask for a price beyond the ability of the individual customer to pay, and we will stick by arbitration."

Rodgers decried the fact that the "same body" which was instrumental in sabotaging the old code plan is now attempting through legislation to kill the new method.

"This is no time for misunderstanding among us," Rodgers said. "This is no time for quarreling. Let us go forward together toward our common objective."

Rodgers also spoke on the humanitarian work done in the trade by individuals and groups, and praised this work.

"It is a pleasure to note," he said, "that we, in our industry, not only take care of our own, through various forms of relief and charity, but we also take care of others. Whether it is a patriotic cause sponsored by the Government or a civic cause, or a private charity, our industry is always the first to respond."

As an example he cited the various relief funds supported by the industry, and also that last year, 27,000 film subjects, from shorts to features had been loaned gratis to various charitable causes.

Dietz on the Lighter Side

Leon Bamberger, Ampa chieftain, presided at the meeting. Harry Golberg of Warner Bros. Theatres introduced Rodgers. Howard Dietz, Loew's advertising and publicity director, also addressed the assemblage. On the dais, additionally, were E. K. O'Shea, Central Division manager of M-G-M, and H. M. Richey, assistant to Rodgers, in charge of exhibitor relations. It was announced that Arthur Mayer, managing director of the Rialto Theatre, will speak next week.

Dietz provided the lighter side of the show, in an amusing off-the-cuff speech, in which he said that for a time he feared he would not be able to attend the session and was happy that he did come even though he arrived in time to eat luncheon.

Among those in attendance were Jack Bowen, M-G-M district manager; Ralph Pielow, New York branch manager; George Skouras, Max A. Cohen, William White, Si Fabian, Fred Schwartz, Bob Wolf, George Lynch, Arthur Rapf, Sam Strausberg, Maurice Gibbons of Bermuda, Frank A. J. McCarthy, Universal division manager; Louis Pollock, Universal's Eastern advertising manager; Dave Levy, Universal's New York branch manager; Art Schmidt of Loew's and Ben Grauer.

In Between

One of Howard Dietz's tidbits with which he regaled the Ampa assemblage yesterday was about the time when with William F. Rodgers, Jack Flynn and Sam Eckman, he was a member of the sales council of Samuel Goldwyn Pictures, way back in 1923.

"You know what a sales council is," he said to the assemblage. "It is a provisional government between the appointment of sales managers."

"That Night in Rio"

[20th Century-Fox]

(*Continued from page* 1)

ties, his business associates (S. Z. Sakall and Curt Bois) enlist Martin's aid to impersonate the baron at an important reception. Miss Faye, as the baron's estranged wife, knows of the deception, but Martin does not know that she knows. Before the evening is over, the baron returns unexpectedly and the confused identities become even more confused, with the baron imitating the night club entertainer imitating the baron.

In the midst of this welter of hilarious confusion, Miss Faye, who has spent the night with her own husband, the baron, is led to believe that it was the night club entertainer. The audience, however, is aware of the true state of facts. Martin succeeds in solving the baron's difficulties by a series of blunders and effects a reconciliation between the baron and his wife by revealing the truth to the latter. Meanwhile, Carmen, who is in love with Martin, is also drawn into the tangle.

Although the humors of these situations are not designed for children, adults should find this entertainment, in addition to the musical numbers, a good evening's amusement. Rounding out the cast are J. Carrol Naish, Leonid Kinsky, Frank Puglia, Lillian Porter, Maria Montez, Georges Renavent, Edward Conrad, Fortunio Bonanova, Carmen Miranda's orchestra and the Flores Brothers.

Irving Cummings, who directed, has given the story pace, and Fred Kohlmar, who produced, has enriched it with important production values.

Running time, 90 minutes. "A."

** "A" denotes adult classification.*

Republic Acquires Midwest Franchise

(*Continued from page* 1)

will continue in their posts and no changes in personnel are in prospect at any of these branches.

Republic previously acquired from franchise holders its own exchanges in New York, Philadelphia, St. Louis, Omaha and Des Moines.

Meeting Ends Today

Grainger is presiding at the sales meeting, which will be concluded today. It is being held at the home office. Others in attendance are H. J. Yates, G. C. Schaefer, John O'Connell, Charles R. Jones, Jack Pindat and Frank Soule of the home office, and, from the field, Sam Seplowin, Detroit; Jake Flax and George Flax, Washington; J. H. Alexander and Sam Fineberg, Pittsburgh; Max Gillis, Philadelphia; Arthur Newman, Albany; M. E. Morey, Boston; Jack Bellman, Buffalo; Sam Seletsky, New Haven; Morris Epstein, New York; Nat Lefton and Sam Gorrel, Cleveland, and George H. Kirby, Cincinnati.

The fifth and final regional meeting will be held at Toronto, April 1 and 2, for Canadian representatives.

Grainger to Chicago Monday on New Setup

CHICAGO, March 6.—James R. Grainger, Republic Pictures president, is expected here from New York on Monday to complete arrangements for the take-over of the Republic offices for the Illinois, Indiana and Wisconsin territories from Harry Mandel.

Mandel will be associated with the construction of a new film exchange building here on the site of the present Republic exchange. The local RKO exchange, it is reported, will occupy space in the new building when completed.

Arbitration Cases Now Total 23 With 3 New Ones Filed

(*Continued from page* 1)

ance complaint against Paramount, yesterday brought an identical complaint against Loew's. These are the only two cases on file in New Orleans.

Details of the complaint filed in Dallas yesterday had not been received here up to a late hour. However, the complaint is known to have been brought by a drive-in theatre, and is believed to be similar to the other complaint on file in Dallas.

The panel of arbitrators from among whom the principals in the first complaint filed with the New York board will select an arbitrator to hear the case, was completed yesterday. The selection must be made by March 13, and the arbitrator selected will set the hearing date.

The case was filed Feb. 19 by the Regent, Brooklyn, against all five consenting companies and involves clearance. It was the first New York complaint.

While clearance awards are not enforceable under the decree until new contracts are made, sentiment was expressed in major company quarters that distribution companies, in their expressed desire to live up to the spirit as well as the letter of the decree, would do what they could to make awards effective immediately. It was pointed out, however, that any accomplishment in this direction would depend upon the willingness of exhibitors against whom decisions are made to voluntarily relinquish the clearance provided for in their existing contracts.

U. S. and Little 3 Will Confer Today

(*Continued from page* 1)

Federal court at Buffalo would be the first to be tried.

It is now learned that further talks between the Government and counsel for Schine are not unlikely, and their outcome would have a bearing on the order of trials of the Government's pending cases.

Today's conference does not involve consent decree discussions, however. It will be confined solely to procedure and particularly to an agreement on answers to interrogatories which will be filed by both sides.

At the conference will be Herbert Borkland, special assistant to the U.S. Attorney General; Edward C. Raftery and Benjamin Pepper, counsel for United Artists and Universal, and Louis D. Frohlich, Columbia counsel.

United Artists and Universal are scheduled to file their answers today to the Government's amended complaint in the anti-trust suit in U. S. District court here. Columbia will file tomorrow or on Monday.

Technicolor Pays 25c.

Directors of Technicolor, Inc., at a meeting yesterday declared a dividend of 25 cents on the company's stock, payable March 31 to stockholders of record March 17, it was announced by Dr. Herbert T. Kalmus, president and general manager. Kalmus arrived from the Coast early this week.

Schenck Overpaid U. S., Says Counsel

In the second day of the trial of the Government suit against Joseph M. Schenck, board chairman of 20th Century-Fox, and Joseph H. Moskowitz, his assistant, Harold R. Corbin, defense attorney, declared in his opening statement that Schenck had overpaid $165,000 in income taxes, rather than underpaying $412,000, as the Government contends. He termed the prosecution "the most outrageous thing I have ever heard."

Corbin's statement occupied the entire morning. He stated that Schenck had paid $125,000 on a 20th Century-Fox dividend which was declared out of assets, not profits, and therefore was not taxable. Corbin also declared that a stock transaction loss in 1936 entitled Schenck to a credit far in excess of the alleged deficiency. The attorney said he would prove that all deductions were legitimate and that character witnesses would depict Schenck as "one of the best-known and most beloved men in the film industry."

William J. O'Brien, deputy tax collector, was the first witness in the afternoon session. He identified income tax returns. Following him, John B. Codd, West Coast comptroller for 20th Century-Fox, identified records relating to Schenck's income. Codd also testified that he sent weekly reports of Schenck's income to Moskowitz. The trial continues this morning.

'Night Train' Tallies $24,500, Cleveland

CLEVELAND, March 6.—With Glenn Miller's band on the Palace stage, "Night Train" was tops here with a smashing $24,500. "Philadelphia Story" earned $5,500 in its third week at the Stillman.

Estimated takings for the week ending Feb. 27:

"Western Union" (20th-Fox)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"Back Street" (Univ.)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $11,700. (Average, $11,000)
"Night Train" (20th-Fox)
RKO PALACE—(3,100) (33c-47c-55c) Glenn Miller on stage. 7 days. Gross: $24,500. (Average, $13,500)
"Virginia" (Para.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $9,800. (Average, $11,000)
"Philadelphia Story" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 3rd week. Gross: $5,500. (Average, $5,500)

'Virginia' Omaha's Winner at $8,200

OMAHA, March 6.—"Virginia" and "South of Suez" grossed $8,200 at the Omaha for the city's only outstanding business. The weather was clear and warm.

Estimated takings for the week ending Feb. 26-27:

"Santa Fe Trail" (W.B.)
"Let's Make Music" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days, 2nd week. Gross: $3,600. (Average, $4,000)
"Virginia" (Para.)
"South of Suez" (W.B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,200. (Average, $6,000)
"Back Street" (Univ.)
"Night Train" (20th-Fox)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,400. (Average, $7,200)

Quebec to Reconsider Approval of 'Called Love'

MONTREAL, March 6.—The Quebec Provincial Board of Censors in Montreal will reconsider its decision to permit showing of the film, "This Thing Called Love," following cancellation of a scheduled run at the Granada Theatre in Sherbrooke, Quebec.

When it was announced that the picture was to begin a four-day showing at the theatre yesterday, Mayor Joseph LaBrecque expressed objection. The paper of the Catholic Diocese of Sherbrooke, *Le Messager Saint Michel,* also carried a criticism of the film in last week's edition.

Although approved by the Quebec Censors several weeks ago, the *Messager* contends that it was condemned by the Legion of Decency in the United States and by the Toronto Legion of Decency. Officials of the publication have requested the censors to review the film again, in the light of these protests.

Shortly after 1 P. M. yesterday, an hour before the film was scheduled to be shown for the first time in Sherbrooke, B. H. Lavell, manager of the Granada, was notified by the home office of United Amusements here that the film was not to be screened.

"This Thing Called Love" was shown in Montreal at the Palace. Critics reviewed it as being good entertainment, but for adults only. It played two weeks to good attendance.

"This Thing Called Love," originally rated as "C" (Condemned) in the Legion of Decency classification in this country, subsequently was given a rating of "B" (Objectionable in Part) after revisions were made.

Broadway Grosses Hold Average Level

Business on Broadway continued at an average level during the week although grosses were checked somewhat by the storm last weekend and by Lent.

One exception is "Strawberry Blonde" at the Strand, which finished its second week last night with an estimated $33,000, high for the house, and is being held. Raymond Scott is appearing on the stage with his new orchestra.

"That Night in Rio" has its premiere at the Roxy tomorrow. In its second week which ended Wednesday night, "Tobacco Road" with a stage show drew about $26,500. It plays two extra days.

"So Ends Our Night" is a holdover attraction at the Radio City Music Hall. Business for the first week with that film and a stage show amounted to an estimated $74,000.

"Come Live With Me" bowed out of the Capitol after a week's run which brought the theatre an estimated $21,500. "Andy Hardy's Private Secretary" opened yesterday.

"Night Train" is expected to give the Globe about $7,000 in its 10th week, which ends tonight, and holds over.

Rosso to Pathe Lab

L. T. Rosso, who was service manager of Consolidated Film Industries for 10 years, has joined Pathe Laboratories as general manager of the Bound Brook laboratories, it was announced yesterday.

'Story' Montreal's Leader at $15,000

TORONTO, March 6.—"The Philadelphia Story" at Loew's drew $15,500. "Virginia" accounted for $7,500 at the Uptown for its second week. The start of Lent and the return of cold weather made a difference.

Estimated takings for the week ending March 2:

"Victory" (Para.)
"You're the One" (Para.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $7,500. (Average, $9,000)
"The Philadelphia Story" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $15,500. (Average, $9,000)
"Lady With Red Hair" (W. B.)
"Here Comes the Navy" (W. B.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $7,200. (Average, $7,500)
"No, No, Nanette" (RKO)
"Four Mothers" (W. B.)
TIVOLI—(1,434) (15c-25c-40c) 6 days. Gross: $4,200. (Average, $3,900)
"Virginia" (Para.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $7,500. (Average, $9,000)

'Strawberry Blonde' $17,000 in Baltimore

BALTIMORE, March 6.—Best business went to "Strawberry Blonde" at the Stanley with $17,000.

Estimated takings for the week ending Feb. 27:

"The Philadelphia Story" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days, 2nd week. Gross: $12,500. (Average, $10,000)
"You're the One" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $7,000. (Average, $9,000)
"Western Union" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"Strawberry Blonde" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $17,000. (Average, $12,000)
"Mr. and Mrs. Smith" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. On stage: variety show with Gene Sheldon; the Six Honeys, Wesson Bros.; Lynn, Royce and Vanya. Gross: $15,000. (Average, $14,000)

"The farther you push me",
Says Merle, "with this mush
"The more I can feel
"That old Lubitsch touch!"
SOL LESSER presents
Ernst Lubitsch's "THAT UNCERTAIN FEELING"
Released thru UNITED ARTISTS

Swing's MBS Talks Go to S.A. via NBC

Raymond Gram Swing's news commentary over Mutual four nights a week will be translated into Portuguese and Spanish and will be broadcast to South America by NBC short wave, with Standard Oil of New Jersey as sponsor, for a total of eight periods a week. McCann-Erickson is the agency.

Sunday Competition Faces British Film

LONDON, March 6.—Considerable new competition will face English film theatres beginning April 20, when a new Government Sunday entertainment order becomes effective. The text of the order was published today.

While film houses in England are compelled to pay a charity tax for Sunday operation, legitimate and vaudeville houses and music halls are permitted to open without being taxed. Now, under the new ruling, other types of entertainment are also tax-free. Boxing, wrestling and dance halls are excluded from this privilege, however.

The provision permits local municipal councils on request of either the military authorities or a representative of the Ministry of Labor, to place a request for Sunday opening before the Home Secretary for presentation to and approval by Parliament.

The only concession to film houses in the new order is the right of the local industrial authorities to make a formal request for Sunday entertainment, whereas previously only the military authority could make such a request.

The council of the Kinematograph Renters Society (distributors) met today to consider the request of the Cinematograph Exhibitors Association for special rental terms to theatres in the bombed areas. It is understood from authorities that the exhibitors suggested a sliding scale but that the distributors were unwilling to accept the plan. The K.R.S. council pledged consideration to individual exhibitor cases.

To Test Virginia's Sunday Blue Laws

NORFOLK, Va., March 6.—The Virginia Blue Law prohibiting the showing of motion pictures on Sunday again will be subjected to one of the innumerable tests it has undergone through the years.

Contesting the legality of the law is Harl Wolever, district manager for Dominion Theatres, who has been summoned to appear before a trial justice in nearby Warwick County in connection with the Sunday operation of the recently opened Village Theatre at Hilton Village. Until the case is settled, Wolever said there will be no Sunday showing.

Retired Exhibitor Dies

STATESVILLE, N. C., March 6.—Rufus A. Cooper, 70, retired motion picture theatre operator, banker and business man, died recently at his home here. He had been in ill health for some time.

Off the Antenna

A RADICALLY new type of news program will start Monday over WHN. Designed to simulate a newsreel theatre, the program will feature 10 minutes of news, then a commercial, then the news and the commercial again. This will be continued for a full hour between 6 and 7 A.M., Mondays, through Saturdays, 7 to 8 A.M. on Sundays, and nightly seven days a week, from 11 P.M. to midnight. Important news flashes will be included, otherwise the program will consist of repetitions. MacMillan Petroleum Corp. signed contracts to sponsor the entire 14 hours weekly without waiting for an actual test of the idea over the air. Stack-Goble is the agency.

• • •

Purely Personal: *Frank Capra will be a guest speaker on "I Am an American" over NBC when the program is broadcast from Hollywood, Sunday, March 23. . . . Helen Hayes, who starts a road tour with the "Twelfth Night" company Sunday, will fly to either Chicago or New York for her "Helen Hayes Theatre" broadcasts over CBS. . . . Basil Ruysdael, announcer on the CBS "Your Hit Parade," is the narrator on the film "Annapolis," just released by Columbia Pictures. . . . John Dored, Paramount Newsreel cameraman, will be interviewed over WOR on the "Bessie Beatty" show Tuesday at* 11:15 *A.M.*

• • •

Residents of both occupied and unoccupied France are using the NBC International short wave division as a clearing house to send mail through to French refugees in England. The letters are sent to Lisbon, air-mailed to NBC and then forwarded to the ultimate addresses.

• • •

First commercial FM station to get approval to start operations was W47NV, Nashville, Tenn., which went on the air earlier this week. There are 41 other construction permits for commercial FM stations outstanding but the Nashville station was the first to receive authority to start with commercial programs. W47NV is operated by WSM, Nashville. The first sponsor, incidentally, was the Standard Candy Co., which also was WSM's first sponsor 16 years ago.

• • •

Program News: *Carter Products has renewed "Inner Sanctum Mysteries" for an additional* 52 *weeks over NBC Blue, effective March* 16 *for* 62 *stations. The program will be heard Sundays at* 8:30 *P.M. instead of Tuesdays. . . . P. Lorillard & Co. will start sponsorship next week of "Old Fashioned Favorites," a program of recorded music to be heard* 8:20-8:25 *A.M. Mondays, Wednesdays and Fridays. . . . Glenn Miller has added "The Modernaires" to his CBS Chesterfield programs. . . . "Musical Mysteries" will celebrate its first anniversary on WINS Sunday at* 3 *P.M.*

• • •

The NBC television schedule next week includes the Golden Gloves boxing bouts from Madison Square Garden Wednesday at 8 P.M. and wrestling from the Jamaica Arena Friday.

'Sierra,' Calloway $26,000, Pittsburgh

PITTSBURGH, March 6. — "High Sierra" on the screen and Cab Calloway on the stage gave the Stanley $26,000. Loew's Penn took $17,000 for "Virginia."

Estimated takings for the week ending Feb. 27:

"Back Street" (Univ.)
FULTON—(1,700) (28c-44c) 7 days, 2nd week. Gross: $4,300. (Average, $5,000)
"Virginia" (Para.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $17,000. (Average, $13,000)
"The Philadelphia Story" (M-G-M)
RITZ—(800) (28c-39c-55c) 7 days, 4th week. Gross: $3,500. (Average, $3,500)
"Western Union" (20th-Fox)
SENATOR—(1,800) (28c-39c-55c) 7 days, 2nd week. Gross: $4,400. (Average, $5,000)
"High Sierra" (W.B.)
STANLEY—(3,600) (28c-44c-66c) On stage: Cab Calloway's band, revue. Gross: $26,000. (Average, $17,000)
"Kitty Foyle" (RKO)
WARNER — (2,000) (28c-39c-55c) Gross: $8,000. (Average, $5,000)

Decrease Reported In St. Louis Triples

ST. LOUIS, March 6.—Mrs. A. F. Burt, leader of the Better Films Council of Greater St. Louis, reports a decrease in the number of triple bill programs among St. Louis theatres in the last month.

The council has been carrying on an intensive campaign against lengthy programs for the last several months and is considering sponsoring a bill in the Missouri legislature limiting the length of programs in theatres.

Odeon in Canada Builds New House

TORONTO, March 6.—The newly formed Odeon Theatres circuit, with which Paul Nathanson and Oscar Hanson of the N. L. Nathanson enterprises are identified, announced today that it has completed plans for the construction of a theatre at Owen Sound, Ont.

It was reported but not confirmed that Odeon has acquired the Palace at Galt, Ont., from Harry Goldhar. Famous Players Canadian, of which N. L. Nathanson is head, operates the Capitol and Grand at Galt and the Paramount at Owen Sound.

The new circuit previously acquired 12 houses in Western Canada and another here, and has a theatre under construction at Kingston, Ont. Negotiations for other theatres also have been reported.

Election of officers of Famous Players Canadian will be held here next July. N. L. Nathanson's five-year contract with Paramount as president will expire in June. His final option to purchase 11,000 shares of Famous Players Canadian common stock at $16 a share recently was extended to April. Four previous annual options to acquire 11,000 shares each at prices ranging from $12 to $15 a share were exercised by Nathanson.

A dividend of 25 cents a share on the common stock was declared recently for the first quarter of 1941.

Bid for FM Station N.Y. 'Times' Ponders

The *New York Times* is surveying the FM field with a view to applying for a license, a spokesman for the paper declared yesterday. Nothing definite has been decided as yet, it was said. If the *Times* does make an application it will have to convince the F.C.C. that it is the most worthy contender, as there already are more applications than there are chann[illegible] in this area, observers pointed [illegible] yesterday.

One of the applications filed is by the *Daily News*, and if it gets a license it intends to make a close tieup between the station and the paper, with promotional activities of both closely linked. The *Daily News* has before it the accomplishments of its sister paper, the Chicago *Tribune* which operates WGN, Chicago.

The FM license granted yesterday to Major Edwin E. Armstrong for a station at Alpine, N. J., is for a superstation to cover an area of 15,610 square miles. Although most FM stations will operate with 10,000 watts, Major Armstrong's outlet has permission to go up to 55,000.

House Loses Point In Action on Games

PORTLAND, Ore., March 6.—Circuit Judge Alfred P. Dobson has sustained the demurrer of District Attorney James R. Bain and Sheriff Martin T. Pratt to the complaint of the Rainier Theatres Corp. in its suit to enjoin the officials from interfering with weekly quiz contests held at the Oriental and Hollywood Theatres here.

A temporary injunction was obtained some time ago by the corporation. Judge Dobson held that quizzes in which persons participating must through a drawing gain opportunity to win an award by answering questions, are a lottery, although some degree of skill and knowledge is needed to answer the questions.

Puerto Rico Outlet Approved by FCC

WASHINGTON, March 6.—A finding was made by the FCC yesterday that Enrique A. Sanfeliz is qualified to construct and operate a station at San Juan, Puerto Rico, and the commission proposed to grant him a construction permit on the 580 k.c. frequency. At the same time, the commission found that United Theatres, Inc., another applicant for the same frequency, was not financially qualified and it was proposed that the latter's application be denied.

Seeks Permit for New Texas Station

WASHINGTON, March 6.—Application for a construction permit for a 580-kilocycle, 1,000-watt station at Russelltown, Tex., has been filed with the Federal Communications Commission by the Russell Plantation, and a request for increase of power from 100 to 250 watts was submitted by Station KBIX, Muskogee, Okla.

New Quarters for WINS

WINS, which was recently granted a construction permit for a 50,000 watt station, has signed a lease for new quarters at 23 West 43rd St.

Alert,
Intelligent
and
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to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
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Vol. 49. NO. 47 NEW YORK, U. S. A., MONDAY, MARCH 10, 1941 TEN CENTS

MR. MAURICE McKENZIE,
% MOTION PICTURE PROD. &
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28 WEST 44TH ST.,
NEW YORK, N. Y.

Chances Good For 'Go Ahead' On Television

Commercialization of Art Seen as Defense Aid

By **EDWARD GREIF**

Chances are good that the FCC in the near future will give the "go ahead" signal to television, granting full commercial privileges, according to sentiment expressed among radio officials over the weekend following the FCC members' inspection of television developments in New York and Philadelphia late last week.

Army and Navy officers have shown interest in television for military purposes, it was pointed out, and commercialization will probably stimulate increased research in this particular field.

The FCC tour of television plants was completed Friday. Radio officials said they were encouraged by the considerable time and effort which the FCC is devoting to preparation for its March 20 hearing on television.

In New York, the FCC saw a demonstration at the Bell Telephone Laboratories of the differences in picture definition possible on frequency

(Continued on page 7)

Comedy Dramas to Lead 20th-Fox List

Comedy dramas will predominate on the new season production schedule of 20th Century-Fox, Joseph M. Schenck, chairman of the board, said on Friday.

In addition, the schedule tentatively includes eight musicals. No biographical themes are scheduled for production, nor are any "outdoors" pictures at this time, he said.

Individual budgets will be set for pictures as production plans are decided, Schenck said. No over-all production budget for the studio will be established.

Schenck said that extended runs will be essential to the further improvement of business next season and that producers should concentrate on the type of pictures which will merit such runs. Double features, he said, are a matter for the public and the individual exhibitor to decide.

Roach Reported Set on Four-Reel Featurette Plan

Hal Roach is reported to have reached an accord with United Artists, during his visit to New York last week, whereby that company will release his newly contemplated four-reel featurettes.

Hal Roach

Production of these short features has been under consideration by Roach for some time as a solution to the double feature problem in the industry. These four-reel pictures, made with the same care and quality as the bigger features will be intended as program substitutions for second features on duals.

Roach's plan is described as contemplating productions with strong story and cast values. He left for the Coast on Friday.

Vogel to Hollywood For Quigley Awards

A-Mike Vogel, chairman of Managers' Round Table of *Motion Picture Herald*, leaves today by American Airlines for Hollywood to attend to final arrangements for the presentation of the Quigley Grand Awards on March 18.

PLAY BUYS FOR PICTURES BOOM

Nine Broadway Productions Already Sold To Films for Aggregate $1,535,000, Considered an All-Time Record

By **SAM SHAIN**

Of about 25 current plays and musicals on Broadway, which are available for pictures, nine have been sold already to films, for an aggregate price of $1,535,000, or an average price of $170,000 each, which in theatre annals is something of a record figure. Broadway play managers have never before experienced this kind of a bumper season in this regard.

So eager have the studios been thus far to obtain stage properties that in at least one case, the play producer, composers and certain other members of the production staff have been retained also to work on the film. In another case, in addition to the price paid for the film rights in cash, the studio also has agreed to pay a percentage of the gross film returns above a certain figure.

With the domestic market having become increasingly important, in fact, almost exclusively so, since the European and foreign market generally has declined, these Broadway plays have become the particular aim of the studios. It is comparable to a studio's eagerness for a best seller among books. The Broadway plays, like books, are of such tremendous public interest around the country, that the studios are described as considering it

(Continued on page 6)

Del. Grants Sunday Films Local Option

DOVER, Del., March 9.—The Delaware legislature has repealed the state's 200-year-old Sunday blue laws. In its place the legislature Friday night passed a bill setting up new regulations for observance of the Sabbath. The new act provides local option in incorporated cities or towns for establishing ordinances for observance of "worldly activities." Outside incorporated cities and towns the new law prohibits motion pictures,

(Continued on page 6)

Seattle Finds Blackout Big Show; Grosses Sliced

By **WILLIAM A. PRAGER**

SEATTLE, March 9.—Downtown theatre and amusement business generally fell from 10 to 20 per cent below normal Friday night as the city was plunged in darkness for 20 minutes during the first test blackout in an American city.

From 10:40 to 11 o'clock the city's 50 theatres, and all business, industry and homes united in extinguishing all exterior illumination and masking indoor lights from outside view. The experiment was conducted by the War and Navy departments.

All traffic stopped, street lights were extinguished and total darkness

(Continued on page 6)

Blizzard Cuts N. Y. Weekend Business

The worst blizzard of the winter, which swept New York and the Eastern seaboard Friday and Saturday, cut Broadway weekend theatre grosses to about half.

Traffic throughout the city was stalled, and the usual large crowds of visitors from the suburbs and surrounding areas were absent, with downtown theatre and shopping centers feeling it most. Business was off also in the neighborhoods.

Ga. House Group Approves Block Bill

Atlanta, March 9.—A Georgia House of Representatives committee on Friday reported favorably the Senate approved bill providing that distributors may offer their full season's program to exhibitors with a 20 per cent cancellation, superseding the blocks-of-five selling provision of the Federal consent decree.

MINNEAPOLIS, March 9.—Northwest Allied has employed counsel to argue the constitutionality of the anti-block-of-five unit bill before the Minnesota house committee which is considering the measure, as sponsored by the or-

(Continued on page 6)

Mexico City Aiding Legitimate Theatre

Mexico City, March 9.—The local Civic Government has granted $26,000 and three building lots for the use of theatrical groups, in fulfilling its recent promise to aid the legitimate theatre. The groups will be required to use the cash and land to establish three playhouses to present Mexican plays. The money is to be repaid on the basis of 10 per cent of the gross revenue of the plays.

Campbell MacCulloch Rites in Hollywood

HOLLYWOOD, March 9.—Campbell MacCulloch, who resigned as Central Casting head last year, was buried here today following funeral services. He succumbed Friday to a lingering illness.

MacCulloch was a pioneer film man, having been with the old Triangle company as a writer, then manager of the New York office. He was brought here 15 years ago by Louis B. Mayer as an efficiency expert, and later joined Universal in the same capacity.

In 1933 MacCulloch was appointed by President Roosevelt to organize the NRA in Los Angeles, and following its dissolution served as regional director of the National Labor Board. He served as Central Casting head from 1934 to 1940.

Richey Speaker at Iowa ITO Meeting

DES MOINES, March 9.—H. M. Richey, in charge of exhibitor relations for M-G-M, is to be the guest speaker at the noon luncheon that opens the annual convention of the Independent Theatre Owners of Iowa and Nebraska at the Savery Hotel here tomorrow.

Legislation, the consent decree and a new Iowa organization idea are the main subjects for discussion at the two-day session.

Eltinge Services Held

Funeral services for Julian Eltinge, 57, were held yesterday in the Little Church Around the Corner under the auspices of the Actors' Fund. He died Friday. He was famous for half a century as a female impersonator. The Eltinge Theatre on 42nd St. was named for him.

Personal Mention

S. CHARLES EINFELD, Warners' director of advertising and publicity, arrived yesterday from the Coast.

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ARTHUR LOEW, vice-president of Loew's, is expected from the Coast late this week.

•

R. M. GILLHAM, Paramount advertising and publicity director, is expected from the Coast on Wednesday.

•

MORT SPRING, M-G-M distribution executive, returned over the weekend from California.

•

RUBE JACKTER, Columbia assistant sales manager, left for Florida over the weekend.

•

GILBERT GOLDEN of Warners' advertising department is in Florida.

•

BETTY GOLDSMITH, secretary to JAMES MULVEY, left Saturday on the *Kungsholm* for a cruise in Southern waters.

•

LOU BROWN, Loew-Poli publicity head, addressed the New Haven Advertising Club the other day.

•

CHARLES JUDGE of the Arcadia, Philadelphia, and ELEANOR KEEGAN of the Mayfair, also in Philadelphia, were married last week.

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JOHN DORED, Paramount News cameraman, will leave this week for Rio de Janeiro.

A. W. SMITH, RKO general sales manager, is in Florida.

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STANTON GRIFFIS, chairman of the Paramount executive committee, plans to go to the Coast later this month.

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LEO JUSTIN, Walter Reade Theatres' executive, has left for a Mexico City vacation of about 30 days.

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DAVID SNAPER, New Jersey circuit operator, is in Hot Springs, Ark.

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GEORGE BEATTIE, sales manager at the Paramount Philadelphia exchange, became the father of a boy last week.

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NORRIS NELSON, of the Stanley, Baltimore, is home ill.

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WILLIAM SMALLEY, head of Smalley Theatres, Cooperstown, N. Y., is in Florida.

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HAROLD DANSON of the Paramount home office is in Miami.

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CHARLES WILSON, owner of the Bijou, Troy, N. Y., will leave for Florida this week.

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LEE ALDERMAN, salesman at Warners' New Haven exchange, is recuperating from an operation.

•

FRED QUATRANO of the Lido, Waterbury, Conn., is vacationing in Miami and Havana.

Brandt Acquires Two New Theatres

Brandt Theatres, headed by Harry Brandt, has acquired the Rialto Theatre, at Poughkeepsie, N. Y., 1,600-seat house, from Elite Amusement Enterprises, Inc.

Also, with David Weinstock, Brandt has purchased the Queen Anne, from the Queen Anne Amusement Enterprises, at Bogota, N. J. It is a 1,399-seat house, and is the 17th Brandt and Weinstock have in partnership.

Stewart Set for Army

HOLLYWOOD, March 9.—James Stewart has been placed in class 1-A by the selective service board and expects to be called for Army service this month.

Loew's Declares Dividend

Directors of Loew's, Inc., have declared a dividend of 50 cents a share on the common stock, payable March 31 to stockholders of record March 18.

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Variety Club Heads Due in Charlotte

CHARLOTTE, March 9.—Three officials of the Variety Clubs of America are expected here tonight to attend the opening of the Variety Club here tomorrow. Expected are John H. Harris of Pittsburgh, National Chief Barker; R. J. O'Donnell of Dallas, National Assistant Chief Barker, and James G. Balmer of Pittsburgh, National Dough Guy (treasurer).

N. J. Allied Meets in Passaic Tomorrow

New Jersey Allied will meet at Harry Hecht's Ritz Restaurant in Passaic, N. J., tomorrow afternoon, the session to be followed by a beefsteak dinner in the evening. Lee Newbury will preside at the business meeting, which will be devoted largely to a discussion of the arbitration system under the consent decree.

To Honor Veteran

PHILADELPHIA, March 9.—The local industry is planning a testimonial luncheon for Marcus Benn, veteran exhibitor, who celebrated his 75th birthday last week. Lou Krouse, I. A. T. S. E. secretary, is chairman of the sponsoring committee.

SAFETY-SERVICE-CONVENIENCE

Here, you are certain to get the exact ingredients your physician prescribes, accurately compounded. We maintain extensive stocks of domestic and foreign preparations, and they're moderately priced.

International Pharmacy, Inc.
Complete Drug, Prescription and Cosmetic Depts.
36 W. 51st St. Cl. 6-0575 50 Rockefeller Pl.

English Theatres Fight Sunday Tax

LONDON, March 9.—The Cinematograph Exhibitors Association will take immediate steps to bring about a reduction in the charity tax for Sunday operation of film theatres, following the recent Government order which permitted competitive entertainment to operate on Sunday without being subject to the same tax.

The C.E.A. is understood to feel it would be bad policy to oppose operation of other forms of entertainment on Sundays, but that it is justified in asking a reduction of the tax on film houses. It is felt that with the greater part of the weekly business on weekends, the tax is unfair. The Government has indicated that it will not amend or remove the tax clause.

The London and Home Counties Branch of the C.E.A. will meet with the County Council tomorrow to ask a reduction in the Sunday tax from 12½ to five per cent, and possibly for an extension of Sunday operating hours.

Warner Zone Heads Will Meet Tomorrow

Joseph Bernhard, general manager of Warner Theatres, will preside at a meeting of zone managers tomorrow at the home office.

Attending will be: James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Moe Silver, Albany; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John J. Payette, Washington.

Among the home office executives who will participate are: Clayton Bond, Ed Hinchy, Harry Goldberg, Leonard Schlesinger, Frank Phelps, Sam Morris, Nat Fellman, Abel Vigard, W. S. McDonald, Harry Rosenquest, Louis Kaufman, Herman Maier and Frank Cahill.

Van Lear Joins Para.

PHILADELPHIA, March 9.—Arnold Van Lear has been added to the local Paramount staff as publicist. He fills the post vacated by William Brooker, who was promoted to direct exploitation in the Philadelphia, Pittsburgh and Washington territories.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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WHEN 5 HOLLYWOOD PRODUCERS CHEER THE WORK OF ANOTHER—

That IS news!

DAVID O. SELZNICK

says: "I have seen 'CHEERS FOR MISS BISHOP'. It is a tender and touching piece of Americana!"

WALTER WANGER

says: "I have seen 'CHEERS FOR MISS BISHOP'. It is MARVELOUS!"

HUNT STROMBERG

says: "I have seen 'CHEERS FOR MISS BISHOP'. It is a beautiful picture and will be a strong contender for 1941 honors!"

MERVYN LeROY

says: "I have seen 'CHEERS FOR MISS BISHOP'. It is a GREAT picture."

LOUIS B. MAYER

says: "I have seen 'CHEERS FOR MISS BISHOP'. Dick Rowland has made a MAGNIFICENT picture that should achieve outstanding business at the box-office!"

Richard A. Rowland

presents

Cheers for Miss Bishop

An Unforgettable Love Story

with MARTHA SCOTT • WILLIAM GARGAN
and featuring EDMUND GWENN • SIDNEY BLACKMER • DOROTHY PETERSON
and introducing MARY ANDERSON • Directed by TAY GARNETT
From the novel "Miss Bishop" by BESS STREETER ALDRICH • Screen adaptation by STEPHEN VINCENT BENET • Screenplay by ADELAIDE HEILBRON and SHERIDAN GIBNEY • Released thru United Artists

Customers to Get Metro's Product First

M-G-M will continue to offer its product first to its present customers, under the consent decree method of selling which will start in the summer, William F. Rodgers, general sales manager, informed exhibitors by letter over the weekend. "We have no idea of placing our product on the auction block," his letter asserted.

Rodgers informed exhibitors M-G-M's first group of pictures would be ready for trade showing and selling under the new procedure by June or July, for early Fall release. The first group will be offered "far enough in advance to protect the playing time of our anticipated customers," he said.

The letter sets forth the company's views and policies in relation to the decree. Present accounts will be given first call on the 1941-'42 product wherever the existing business relationship is satisfactory, it is explained.

Of the decree itself, Rodgers wrote: "It appears to me that there is far too much emphasis placed upon the mistaken theory that it is impractical, and too little evidence of a desire to give its principles the support necessary for at least a fair trial. I am unwilling to admit that it is either unworkable or impractical.

"The position of our company can be summed up in a very few words. We will respect the consent decree in all of its content; we will not tolerate, much less countenance any violations on the part of our representatives."

Reiterating that M-G-M will not price its product "beyond the possibilities of our customers to pay," Rodgers reaffirmed the company's stand against employment of any "subterfuges" in selling short subjects, newsreels or trailers. "Every unit of our output will stand on its own merit," he wrote.

Of arbitration, he said: "We will recognize any claim for arbitration as provided for in the decree, and will vigorously yet fairly defend our position where we feel we are right; yet in any instance where the final judgment is rendered against us, it will be accepted graciously and without any hard feelings in any direction."

Rodgers assured exhibitors that M-G-M "will deliver not less than our minimum obligation of features and short subjects this year."

New Operator's Union

The Alliance of Motion Picture Machine Operators has been formed, with Irving Friedlander as president and Peter Waxberg as secretary. Its membership numbers about 12, employed in independent theatres, mostly in Brooklyn, according to a spokesman for the group.

Mexico Censorship Goes Under Interior Ministry

MEXICO CITY, March 9.—The new law, sponsored by President Manuel Camacho, giving the Federal Ministry of the Interior exclusive jurisdiction over the supervision and censoring of films, has gone into effect.

The law requires that the ministry render a decision on each picture within three days after it has been presented for review. Protest in writing to the ministry is permitted on any decision, and a new inspection of the film must be made promptly.

Review fees are $1.10 for each commercial film and 65 cents for every Mexican film intended for export. No fee is charged for newsreels of less than 50 meters in length. Approval by the ministry permits exhibition anywhere in Mexico. State and municipal authorities may not permit exhibition of a film not previously approved by the ministry.

Meanwhile, Mexican producers look forward to a period of harmony in their hitherto troubled relations with labor, since the expected replacement of Vincente Lombardo Toledano as head of the Confederation of Mexican Workers by Fidel Velazquez, formerly publicity secretary. The Confederation is Mexico's most powerful labor organization.

Francisco J. Macin, high official of the National Cinematographic Workers Union, failed to obtain Velazquez' former post, which went to Matias Platas, indicating that the film union now wields less power in the Confederation than formerly.

Compromise Reached On Schine Procedure

A compromise on procedure covering interrogatories and inspection of documents in the Government's anti-trust suit against the Schine Circuit and the Little Three was agreed upon over the weekend by attorneys for the Department of Justice and United Artists, Columbia and Universal.

A motion scheduled to be argued in the U. S. District Court at Buffalo today will be adjourned and an order for the elimination of some interrogatories and consent to others will be drawn and submitted to the court in the near future. No trial date has been set so far and a further conference on procedure will be held.

Attorneys at the conference were Benjamin Pepper, U. A.; Irving Morros, Columbia; Adolph Schimel, Universal, and Seymour Simon, Department of Justice.

Col. Plans Awards In Sales Campaign

Awards for leading branch managers, salesmen, office managers and bookers in Columbia's annual sales drive, termed the Columbia Exhibitors Good Will Campaign, have been posted by the company.

Awards will go to the entire sales staffs of the 12 branches which show the greatest improvement in billings over their campaign quotas during the 13 weeks ending May 30. The campaign quota for each branch represents its billings for the fiscal year ended June 28, 1940. In addition, special bonuses will go to the 10 leading salesmen showing the greatest improvement in accounts sold by May 30, as compared with the number of accounts sold by June 8, 1940.

New Omaha Theatre Firm Planning House

OMAHA, March 9.—Blank and Green Enterprises, Inc., consisting of Ralph Blank and Walter M. Green, plan a $100,000, 1,000-seat theatre in west Omaha. The firm is new.

Blank is a nephew of A. H. Blank, head of Tri-States Theatres, and Green owns and operates Fepco, theatre advertising company in Omaha. Blank until recently was district manager for Central States Theatres in Nebraska with headquarters in Fremont, Neb.

Trial Set in Coast Exhibitors' Action

LOS ANGELES, March 9.—Although Federal Judge Harry Hollzer on Friday set March 18 for trial of the damage suit of Lou Bard's Colcata Corp. against Fox West Coast and the major distributors, attorneys for both sides indicated that settlement negotiations may be resumed. The suit charged Bard is unable to obtain films for the Colorado in Pasadena, formerly a Fox West Coast house.

First Defense Reel Ready for Theatres

"Power for Defense," first short film approved by the Motion Picture Committee Cooperating for National Defense, is now available to exhibitors who pledged cooperation to the committee.

The film, produced by the Government, runs 11 minutes, and is being booked without charge. Twelve one-minute trailers on defense will be available shortly. To date the committee has received pledges from 8,000 theatres. Joseph Bernhard, general manager of Warner Theatres, is chairman of the committee.

Free Films Sent to 1,273 Institutions

The industry during 1940 supplied 13,357 features and 14,404 short subjects without charge to 1,273 institutions throughout the country for the entertainment of shut-ins, the M.P. P.D.A. conservation department reported yesterday.

Types of institutions receiving the service were homes for crippled children, orphanages, hospitals, reformatories, prisons, homes for aged persons, schools supported by charity, war veterans' convalescent homes and institutions for underprivileged children.

Adds Stage Shows

COLUMBUS, O., March 9.—The suburban Main, playing subsequent run double features, last Saturday added a stage program at the 9 P.M. show and plans to continue the policy.

'Wind' at $17,000 Is High in Detroit

DETROIT, March 9.—"Gone With the Wind," in its third week at normal prices drew $17,000 at the United Artists. "Fantasia" at the Wilson reported $14,000 and the Michigan grossed $13,000 in the second week with "Virginia" and "You're the One."

Estimated takings for the week [illegible]ing March 6:

"Western Union" (20th-Fox)
"Six Lessons from Madame LaZonga" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $5,500)

"Santa Fe Trail" (W. B.)
"Moon Over Burma" (Para.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Adam Had Four Sons" (Col.)
"Michael Shayne, Private Detective" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)

"Virginia" (Para.)
"You're the One" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days, 2nd week. Gross: $13,000. (Average, $12,000)

"High Sierra" (W. B.)
"Kitty Foyle" (RKO)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $8,500. (Average, $7,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (44c-55c) 7 days. Gross: $17,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON—(1,400) (75c-$1.10-$1.65) Gross: $14,000. (Average, $10,000)

6,000 Houses Will Help Greek Drive

More than 6,000 theatres throughout the country will participate in the Greek War Relief Drive, Adolph Zukor, chairman of the Amusement Industries Division, stated over the weekend. The theatre drive will be from March 25 to 30.

Approximately 500 theatres will hold midnight benefit shows, including more than 50 theatres in greater New York. Theatres now are being serviced with pressbooks and accessories, and 5,000,000 buttons have been distributed. National Screen Service is distributing gratis a trailer running 175 feet, produced by M-G-M, with Melvyn Douglas as commentator.

Brooklyn Unit Must Use 306 Operators

N. Y. Supreme Court Justice Aaron J. Levy on Friday confirmed an award directing People's Cinema, Inc., owner of the People's, Brooklyn, to reinstate Local 306 projectionists and restraining the defendants from employing others. The order also affects the I.T.O.A, under the basic contract of that organization with Local 306.

People's Cinema had claimed that it was not bound by the contract since it had become an I.T.O.A. member after the contract was signed.

Kent Drive Final Standings Issued

Final standings in the S. R. Kent drive at 20th Century-Fox were disclosed over the weekend. The Washington branch, of which Sam Wheeler is manager, placed first in the National Group, and Salt Lake City, where C. S. Walker is manager, first in the International Group. The Washington branch also led in the short subjects division. Prizes to winning exchanges ranged from 60 per cent of one week's salary to three weeks' extra salary for employes.

IN PERFECT AGREEMENT

EASTMAN negative films—each in its special field—work in perfect agreement with director and cameraman to capture completely the beauty of every scene. Eastman Kodak Company, Rochester, N.Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Play Buys for PicturesBoom; 9 Already Sold

(*Continued from page* 1)

a matter of prestige also to obtain the successful and most talked-of plays. Thus the competition for plays and musicals has grown keen.

Several of the film companies, notably Paramount, M-G-M and Warner Bros., own interests in some of the present crop of shows, in order to have an inside angle on the productions.

This sort of association also provides the companies with closer contact for new talent possibilities.

Besides the plays already sold for films, such shows as "Mr. and Mrs. North," "The Corn Is Green" and "Flight to the West" are also reported under Hollywood consideration. Notable exceptions in this respect are the Ed Wynn show, "Boys and Girls Together," and the recent Al Jolson show, "Hold on to Your Hats," neither of which have been mentioned in studio reports thus far. The Jolson show, although a hit, closed because of the star's illness, and is now reported as reopening soon on the road.

On the other hand, the producers of "Life With Father," are said to have refused all film offers made to date.

The list of shows already sold to films and the prices reported as having been paid, follow: George Washington Slept Here," $83,000, Warner Brothers; "Arsenic and Old Lace," $175,000, Warner Brothers; "Dubarry, $140,000; "Pal Joey," $75,000, Columbia; "Lady in the Dark," $285,000; "Claudia," $187,500, Selznick; "Old Acquaintance," $75,000, Warner Brothers; "My Sister Eileen," $225,000, Columbia; "Panama Hattie," $140,000, M-G-M; "Louisiana Purchase," $150,000 Paramount.

Move to Organize Employes in Phila.

Philadelphia, March 9.—A new attempt to organize ushers, doormen, cashiers, ticket-takers and janitors in the independent houses is being made by a new union, Employes of Independent Theatres, claiming A. F. L. support. The I. A. T. S. E. several years ago organized a "B" local among the same class of employes at the Warner theatres, and included assistant managers.

Several attempts have been made in the past by the I. A. local to bring in the independent circuits, but with no success. The "B" local, currently negotiating for a new contract with Warners, which expired Jan. 1, asked I. A. support to secure a minimum $45 weekly wage for assistant managers, representing an 80 per cent increase, raising the $18.50 minimum for cashiers and doormen to $25, and a general 33⅓ per cent increase for ushers.

Warners to Show Shorts

Hollywood, March 9.—Warners will hold weekly showings of short subjects in key cities for film critics and exhibitors. Under the Federal consent decree, trade showings of shorts and features is compulsory.

Seattle Finds Blackout Big Show; Grosses Sliced

(*Continued from page* 1)

prevailed in all areas. While theatre performances continued as usual, and the public was advised to this effect for several days in advance through newspapers and by radio, all exteriors were entirely dark. Most managers reported that early patronage was fairly normal but late business failed badly, indicating that patrons attended only if they could be out of the theatre and on the streets during the actual blackout.

Suburban theatre business also decreased, with the general consensus of theatre managers being that most residents wanted to be on the streets, or at home listening to radio broadcasts of the blackout, rather than in theatres.

Residents of the city accorded the authorities complete cooperation in this major test and hundreds of volunteer workers assisted in organizing and patrolling. The general effect of the blackout was as though this city of 400,000 was suddenly stricken by a weird catastrophe that extinguished all lights, stopped all activity and silenced every noise except hushed voices on the streets.

Army and Navy authorities pronounced the test exceptionally satisfactory, with the cooperation of theatres and radio stations especially helpful prior to and during the actual blackout.

Ga. House Group Approves Block Bill

(*Continued from page* 1)

ganization. Clarence Holten has been retained.

This action followed the charges of unconstitutionality leveled at the bill by David Shearer, attorney representing four consenting companies to the New York case consent decree, 20th Century-Fox, RKO, Loew's and Warner Bros. Shearer made his charges before the committee late last week.

Fred Strom, Northwest Allied secretary, and Holten will appear before the Minnesota Senate committee on the bill at a hearing Wednesday.

The bill seeks to set aside the selling provisions of the consent decree entered into in New York.

First Minneapolis Complaint Is Filed

First arbitration demand to be filed with the Minneapolis board was reported by the local board to the American Arbitration Association in New York over the weekend.

The complainant is the White Bear Theatre at White Bear Lake, Minn., which asks "some run" of Loew's, Warners, RKO and 20th Century-Fox. The State Theatre in the same town is named as having the sole run on product of those distributors.

The complaint reported late last week as the second to be filed with the Dallas board was identified as merely a revision of the first and only complaint on file there. A revised complaint was ordered when errors were discovered in the first form. The complaint is that of Joseph's Drive-In at Austin, Tex., asking "some run" of Loew's and 20th Century-Fox and naming the Underwood, Interstate and Ezell theatres in Dallas.

Baltimore Gives 'Nice Girl?' $15,000

Baltimore, March 9.—"Nice Girl?" drew $15,000 to Keith's while "The Son of Monte Cristo" barely made the average at the Century.

Estimated takings for the week ending March 6:

"Son of Monte Cristo" (U. A.)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $11,000. (Average, $10,000)

"Nice Girl?" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $15,000. (Average, $9,000)

"Western Union" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 3rd week. Gross: $6,000. (Average, $7,000)

"Strawberry Blonde" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)

"Mr. and Mrs. Smith" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. Stage show featuring Gene Sheldon, Wesson Bros. the Six Honeys; Lynn, Royce and Vanya also held over. Gross: $12,000. (Average, $14,000)

Plan Reading Ordinance

Reading, Pa., March 9.—A new ordinance regulating air-conditioning devices in theatres and other public buildings using water from artesian wells instead of city water is being prepared by local authorities. An ordinance covering the situation, passed in 1939, was never put into effect.

'Navy,' Pat O'Brien $11,200, Milwaukee

Milwaukee, March 9. — A stage show headed by Pat O'Brien and the Merry Macs, together with the film, "Here Comes the Navy," took $11,200 at the Riverside. "Andy Hardy's Private Secretary" and "Land of Liberty" tallied $8,000 at Fox's Wisconsin.

Estimated takings for the week ending March 4-6:

"Virginia" (Para.)
"Life With Henry" (Para.)
PALACE—(2,400) (30c-40c-55c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

"Here Comes the Navy" (W.B.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Pat O'Brien, the Merry Macs. Gross: $11,200. (Average, $6,500)

"The Devil Commands" (Col.)
"The Face Behind the Mask" (Col.)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,100. (Average, $1,500)

"Back Street" (Univ.)
"Road Show" (U. A.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $7,700. (Average, $4,500)

"Andy Hardy's Private Secretary" (M-G-M)
"Land of Liberty" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $8,000. (Average, $5,500)

Wis. Senate Passes Daylight Saving Bill

Madison, March 9.—The State Senate by a 14 to 13 vote has approved reconsideration of the Murray daylight saving bill, which it killed the week before by a 16 to 13 vote. Exhibitors have strongly opposed the measure.

Dietrich in Col. Film

Hollywood, March 9.—Marlene Dietrich has been signed by Columbia to star in "Miss Madden Is Willing," which is scheduled to start in June with Mitchell Leisen as producer-director.

Del. Grants Sunday Films Local Option

(*Continued from page* 1)

dancing, racing, auctions and theatricals on Sunday.

The bill, introduced by Rep. R[illegible] H. Richards, Jr., Republican [illegible] leader, passed the house 18 to 16, and the Senate 13 to 3. It now goes to Gov. Walter W. Bacon for his signature.

The bill gives incorporated communities the power to regulate their own Sabbath observances between noon and 6 P. M., and from 8 P. M. to midnight.

Under it, it would be unlawful for any person in any incorporated city or town to attend a film show, for instance, before noon and between 6 and 8 o'clock Sunday night.

Attorney General James R. Morford characterized the new bill as "possibly more liberal" than the Rinard Sunday local option bill it replaced.

Court Rules News On Sunday 'Necessity'

Wilmington, Del., March 9.—Sunday blue law charges against Manager J. Gorman Walsh and program director Harvey Smith of Wilmington radio stations WDEL and WILM, who were arrested last Sunday while broadcasting sermons in Wilmington churches, were dismissed by Judge Henry Isaacs in Municipal Court here Friday.

The court held serving of news by either newspaper or radio is a necessity of the modern day world.

Fully 75 per cent of Wilmington residents have radio sets which have become a vital part of their every-day lives, the court ruled.

Prosecutor William Poole maintained that when both were arrested the stations were operating intrastate and the programs aired at the time were disseminated within state boundaries, but defense counsel Albert Young claimed that the stations operate under a Federal license and any effort of control by local statute would be construed as an interference with interstate commerce.

'Nice Girl?' Garners $6,000 in New Haven

New Haven, March 9 — "Nice Girl?" and "Romance of the Rio Grande" at the Roger Sherman took $6,000. Otherwise the holdover week of "Andy Hardy's Private Secretary" and "Lone Wolf Keeps a Date" was the only over-average bill, taking $3,200 at the College.

Estimated takings for the week ending March 7:

"Andy Hardy's Private Secretary" (M-G-M)
"The Lone Wolf Keeps a Date" (Col.)
COLLEGE—(1,499) (35c-50c) 7 days, 2nd week. Gross: $3,200. (Average, $2,700)

"The Son of Monte Cristo" (U. A.)
"Michael Shayne, Private Detective" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $6,800. (Average, $8,000)

"Virginia" (Para.)
"Blackout" (U. A.)
PARAMOUNT—(2,348) (39c-50c) 7 days, 2nd week. Gross: $3,500. (Average, $4,500)

"Nice Girl?" (Univ.)
"Romance of the Rio Grande" (20th-Fox)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,000. (Average, $5,000)

Chances Good for 'Go' on Television

(Continued from page 1)

bands of varying width ranging from 20 megacycles to 2¾. At the Allen B. DuMont laboratories the demonstration consisted of a televised film at varying lines and frame frequencies.

Although industry executives anticipate that there may be some delay because of defense orders in supplying transmitters to news stations if commercialization is granted, the supply of receivers will meet the demand, it was said. No difficulties will arise from the aluminum shortage, it was pointed out, as little of this metal is used in television receivers and there are substitutes available if no aluminum can be obtained.

Seek Permission to Move Transmitters

WASHINGTON, March 9.—Applications have been filed with the Federal Communications Commission by Stations WWRL, Woodside, N. Y., for change of frequency from 1,500 to 1,600 kilocycles, transmitter removal from Woodside to New York and increase of power from 250 to 5,000 watts; WLAW, Lawrence, Mass., to move transmitter from Andover to Burlington, Mass., and increase power from 5,000 to 50,000 watts; WDAS, Philadelphia, Pa., for change of frequency from 1,370 to 1,260 kilocycles and increase of power from 250 to 1,000 watts night, 5,000 watts day, and KSAN, San Francisco, for change of frequency from 1,420 to 1,430 kilocycles and increase of power from 250 to 1,000 watts.

Extend Licenses On Games in Ohio

COLUMBUS, O., March 9.—Aside from churches and charitable institutions, which are tax exempt, all Ohio institutions where chance games are played are required to take out an amusement license, and, like theatres, must pay the State a three per cent tax based on gross receipts, which is comparable to the three per cent retail sales tax which the public pays in other lines, it was learned from William S. Evatt, State Tax Commissioner.

'Dictator' Set in Toronto

TORONTO, March 9.—Loew's Theatre here will play the long-delayed engagement of "The Great Dictator" at regular prices subsequent to the national release of the Chaplin picture and following the current run of "The Philadelphia Story." This will be the Toronto first run, Loew's having declined to book the picture during the six months that it was being presented as a special attraction at advanced prices.

Charter 3 Companies

ALBANY, March 9.—Three new companies incorporated here include: Secatogue Theatre Corp., New York, by James A. Tuck, Helen Tolmachoff and M. W. Merritt; Inter-American Distributors, Inc., by I. I. Brandwein, M. H. Wertkin and J. J. Sweedler, and Film House, Inc., by Irving Jacoby, Beatrice Jacoby and Stuart Legg.

Off the Antenna

FIFTEEN consuls, representing as many Latin American countries, will be heard in a good will broadcast to Latin America over the short wave station of WCAU, Philadelphia, in a tieup arranged by 20th Century-Fox. The talks will take place following an advance screening of "That Night in Rio," 20th Century-Fox film, being arranged in Philadelphia, which the consuls will attend.

• • •

Purely Personal: *Edward P. Ehrich, manager of syndicated programs for the NBC radio recording division, has been married to Edith F. Barnes. . . . Elmo Russ, former director of special presentations at WMCA, has joined U. S. Music, Inc.*

• • •

The William Esty Agency on the Coast announced over the weekend that Louella O. Parsons, film columnist, has been signed for a Lifebuoy soap series on CBS from 7 to 7:30 P. M., Pacific time, on Fridays. The show will be known as "Louella Parsons Presents," and players will enact tabloid versions of their films before and during release.

• • •

WHOM has reshuffled its all-night program, with George McCoy replacing "Windy" Hogan as Frank Krueger's partner.

• • •

Program News: *Dr. Miles Laboratories has renewed for an additional seven weeks, effective today, its sponsorship of the five-minute news periods over WABC, Mondays through Fridays at 3:55 P.M. and at 11 A.M. Saturdays. . . . Esterbrook Steel Pen has renewed for the remainder of the Metropolitan Opera season its sponsorship of the Spanish intermission commentary over NBC short wave. Texaco sponsors the operas.*

• • •

Deems Taylor will be permanent understudy to Clifton Fadiman as quizmaster on "Information, Please," it has been decided following Taylor's recent appearance on the program when Fadiman was ill. Fadiman has missed only three broadcasts since the quiz show has been on the air.

Warner Club Ball Attended By 1,500

Jack L. Warner, vice-president in charge of Warner production, headed the list of executives who attended the 12th annual Warner Club Banquet and Ball in the grand ballroom of the Waldorf-Astoria Hotel Saturday evening. About 1,500 attended. Music was provided by the orchestras of Jack Teagarden, Raymond Scott and Ramon's Cuban Caballeros. The entertainment committee was headed by A. W. Schwalberg and Harry Mayer.

Ray MacDonald on Contract with M-G-M

M-G-M has signed 19-year-old Ray MacDonald to a contract and has assigned him to a role in "Babes on Broadway," which will star Mickey Rooney and Judy Garland. He is a son of William McDonnell, sales promotion manager of Quigley Publications.

Bausch & Lomb Profit

Bausch & Lomb Optical Co. over the weekend reported consolidated net profit for the year ended Dec. 31 last of $1,675,773, leaving a balance of $3.41 a share for the common stock after preferred dividends. This compares with net of $1,387,356, or $2.77 a share on a smaller amount of common the year before.

RCA Votes Dividends

Dividends of 87½ cents a share on the first preferred stock and $1.25 on the "B" preferred were declared by the RCA board of directors on Friday for the quarter ending March 31, to be paid April 1 to stockholders of record March 14.

Guaranteed Gets Films

Guaranteed Pictures Co. has acquired exclusive world distribution rights to the group of 12 two-reel Chaplin films which were synchronized.

Miller, 'LaZonga' $17,500, Cincinnati

CINCINNATI, March 9.—Glen Miller and a stage show plus "Six Lessons from Madame LaZonga" on the screen, took $17,500 at the RKO Shubert, and "Nice Girl?" was good for $12,000 at the RKO Palace.

Estimated takings for the week ending March 5-8:

"So Ends Our Night" (U. A.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $9,000. (Average, $12,000)
"Nice Girl?" (Univ.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $12,000. (Average, $10,000)
"Six Lessons from Madame La Zonga" (Univ.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Glen Miller and acts. Gross: $17,500. (Average, $10,000)
"Virginia" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,300. (Average, $5,500)
"You're the One" (Para.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,000. (Average, $5,000)
"Western Union" (20th-Fox)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $2,700. (Average, $4,500)
"Ridin' on a Rainbow" (Rep.)
"Secret Evidence" (P. R. C.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,300. (Average, $1,200)
"The Saint in Palm Springs" (RKO)
"The Face Behind the Mask" (Col.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)
"Strawberry Blonde" (W. B.)
KEITH'S—(1.500) (33c-40c-50c) 7 days, 2nd week. Gross: $5,400. (Average, $5,000)

Hyman on Tour

Louis Hyman, general sales manager for Ernst Lubitsch-Sol Lesser Productions, left here over the weekend for a 10-day tour through the Midwest in connection with the United Artists release, "That Uncertain Feeling."

"A MAN BETRAYED"

"But now the party's over . . . and the guest is leaving!"

"Do I remove myself . . . or will the coroner do it for me? I just want to be up on your etiquette."

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Original Screen Play by JONATHAN LATIMER and GORDON DOUGLAS

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HAL ROACH INVITES EVERY EXHIBITOR TO SEE ONE OF THE SMASH COMEDIES OF RECENT YEARS!

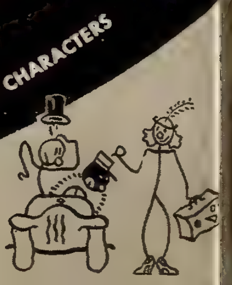
in New York . .

TOMORROW IS THE DAY! (TUES. MARCH 11th)

ASTOR THEATRE THE PLACE!

11:15 A. M. THE HOUR! COME EARLY!

THE DEMAND FOR SEATS IS TERRIFIC!



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Decency Unit Favors Minn. Legislation

Cancellation Is Desirable, House Committee Told

By ROBERT E. MURPHY

MINNEAPOLIS, March 10.—The Catholic Legion of Decency today entered the fight for Northwest Allied's anti- blocks-of-five bill before the Minnesota Legislature as the House Judiciary Committee set final action on the bill for Wednesday. The bill would set aside sales provisions of the Federal consent decree in favor of block booking with a 20 per cent cancellation.

Helen Lynch of Minneapolis, representing the Legion of Decency, said the organization favors the bill because of its

(*Continued on page 6*)

Big 5 Dismissal in Schine Case Monday

BUFFALO, March 10.—The Big 5, parties to the Federal consent decree in the New York anti-trust suit, are scheduled to be dismissed as defendants in the Government anti-trust suit against the Schine Circuit in Federal Court here next Monday.

A hearing scheduled for today before Federal Judge John Knight was postponed for one week at the request of U. S. Attorney George L. Grobe, who will offer the motion for dismissal of the consenting companies at that time.

The dismissal action, authorized by Herbert Borkland and Seymour Simon, special assistants to the U. S. Attorney General, will leave the Schine Circuit, Columbia, United Artists and Universal as defendants. Those scheduled to be eliminated are

(*Continued on page 6*)

N. Y. Chain Tax Bill Excludes Theatres

ALBANY, March 10.—Assemblyman Louis Bennett of the Bronx told MOTION PICTURE DAILY today that he would amend his chain store tax bill to exclude the definition of theatres in the measure's enabling clause.

"My bill has never been intended to apply to theatres, although I have had flattering support from independent exhibitors, expressed by them in letters to me," Bennett said.

Diamond Jubilee

Scranton, March 10

THE Bullshead Theatre, independent in North Scranton, has had a long period of contention with labor unions. The other day it observed an unusual anniversary and its marquee featured the following announcement: "Diamond Jubilee . . . 75 Weeks of Picketing."

Changing of Title Poses New Problem

Trade experts were busy yesterday trying to figure out the implications of a brand new problem arising out of the exhibition at the Central Theatre, Broadway, of the French film currently titled, "The Virgin Bride."

The production which carries the marquee billing, "The Virgin Bride," was examined by the Production Code Administration under the title, "Mlle. Ma Mere," and after certain alterations were agreed to by the distributor was awarded a code seal. Subsequently the picture showed up for local exhibition under the new title, a title which was not passed upon and not approved.

Responsibility for the change is disclaimed by the distributor, J. H.

(*Continued on page 6*)

Storm Cuts Grosses More Than Strike; 'Eve', 'Rio' Strong

New York City is in the throes of a bus strike involving the Fifth Avenue Bus Co. and its associate, the New York City Omnibus Corp., which operate 95 per cent the bus lines in Manhattan. The strike started at dawn yesterday on the heels of the worst snowstorm the city has experienced in six years and which sliced grievously into Broadway weekend grosses and neighborhood trade.

With the blizzard having subsided yesterday, although many of the city's thoroughfares were still partly impassable, the bus strike, affecting a normal estimate of 900,000 passengers daily, was reported by Broadway managers as having little or no effect on the day's grosses. The weather caused more harm than the strike.

"The Lady Eve," with Tony Pastor's band on the stage gave Bob Weitman's citadel, the Paramount, a good $21,000 over the weekend on its second week, despite the blizzard. The new musical, "That Night in Rio," at the Roxy which also harbors a stage presentation, is reported as having garnered a similar amount, about $21,000, until yesterday morning. At the Strand, where "Strawberry Blonde," is on its third week, plus Raymond Scott's band on the stage, the figure

(*Continued on page 6*)

Goldwyn-U.A. Deal on Stock Finally Closed

Board Action Due Today On $300,000 Transaction

By SAM SHAIN

Samuel Goldwyn

Samuel Goldwyn has at last disposed of his one-fifth share in United Artists to the company, and becomes a wholly free agent, with leave to produce for whomsoever he may choose, under terms of a settlement, finally reached, it was reported in high circles of the trade yesterday, after negotiations had been broken off more than once in the past two or three weeks. Goldwyn, so authorities assert, will receive

(*Continued on page 6*)

Two Arbitration Hearings This Week

Hearings on arbitration complaints will be held in Boston on Friday and in Chicago, Saturday, American Arbitration Association headquarters here was advised yesterday.

The Boston hearing is expected to be the first to go before an arbitrator for a decision under the Federal consent decree, and the Chicago case, the second. The only other case set for hearing is at Washington on March 25.

The fifth arbitration demand for the New York local board was filed here yesterday. The complaint was brought by the River Theatre Corp. operator of the Central at Pearl River, N. Y., and names all five consenting companies. It asserts that the Pas-

(*Continued on page 6*)

Fly Foresees Television Standards in Near Future

WASHINGTON, March 10.—James L. Fly, chairman of the FCC, said today that he felt it may be possible to adopt standards and give television the "green light" for commercialization in the near future. Fly refused to elaborate and emphasized that he did not wish to conjecture about the attitude which will be taken at the FCC hearing set for March 20.

MOTION PICTURE DAILY reported yesterday that chances were "good" for a go-ahead signal according to sentiment expressed by radio officials in New York.

Fly said that the demonstrations given for FCC officials last week in Philadelphia and New York indicated conclusively that the most important problems are nearing solution. Commission officials, he said, were enthusiastic over the "significant" developments which they saw last week.

Kuykendall, Richey Speak at Iowa Meet

DES MOINES, March 10.—Ed Kuykendall, president of the M.P.T.O.A., and H. M. Richey, assistant to William F. Rodgers, M-G-M general sales manager, were principal speakers at the annual convention of the I.T.O. of Iowa and Nebraska which opened at the Hotel Savery here today.

The meeting opened with a luncheon with 120 persons present, including Central States and Tri-States circuit officials. Exchange managers, salesmen and bookers were guests. Leo F. Wolcott, president, was in charge of the session.

Kuykendall deplored public indifference to increasing government control of private industry. He urged exhibitors to give thought to building well balanced programs and to help each other, as, he said, they are the

(*Continued on page 6*)

In Today's Issue

U. S. may intervene to start Ascap-networks negotiations on new contract—Page 9. . . . Reviews of "Mr. Dynamite" and "The Penalty"—Page 5.

Coast Flashes

Hollywood, March 10

DAVID O. SELZNICK today announced that he had signed W. Somerset Maugham, novelist, to write an original screenplay based on an idea by Selznick.

●

Mark Hellinger, Warner producer, and the studio over the weekend settled his contract, and Hellinger will leave the lot at the end of the week.

●

Edward Gross, formerly an associate producer with David Loew and Sol Lesser, today announced the purchase of screen rights to "The Lone Ranger" radio series and plans four features for Columbia release.

●

S. Barret McCormick, RKO director of advertising and publicity, arrived today for two weeks' conferences with George J. Schaefer, president, and studio officials.

●

John Wayne was set today by Cecil B. DeMille to star in "Reap the Wild Wind" for Paramount.

Consolidated Deal Closing This Week

Formal closing of the deal by which Julius Joelson will take over the 21 Consolidated Amusement houses in Manhattan and the Bronx is scheduled for Wednesday or Thursday of this week. The deal is with Laurence S. Bolognino, head of Consolidated.

Joelson, former New York and Massachusetts circuit operator, yesterday confirmed that Julius Klein, head booker for the Cocalis circuit here, will have the same post for Consolidated under the new management. He will succeed Al Suchman. Joelson, whose New England houses were disposed of to Mullin & Pinanski some time ago, plans to establish his headquarters at the Bryant Theatre, but buying and booking offices for the circuit will remain 1560 Broadway.

British Net $25,000 From Dallas Affair

DALLAS, March 10.—Approximately $25,000 was netted for the British Relief Fund here over the weekend, at a premiere of "The Hardboiled Canary" and a banquet attended by several Hollywood stars.

The premiere was held at the Auditorium, with the 5,000 seats filled and many turned away. The gross was estimated at $30,000, with expenses figured at about $5,000. The affair was sponsored by local newspapers and the Interstate Circuit, with R. J. O'Donnell, circuit executive in charge.

Baltimore Considers Soldiers' Price Cut

Baltimore, March 10.—Local exhibitors are considering a request that lower admission rates be offered soldiers from nearby army posts. The request was made by officers of the Committee on Social Agencies and Defense which is taking a leading part in the move for increased entertainment facilities for the men.

Personal Mention

JACK L. WARNER, vice-president in charge of Warner production, arrives on the Coast today after two weeks at the home office.

●

BARNEY BALABAN, president of Paramount, is due tomorrow from Florida.

●

T. J. CONNORS, Eastern, Southern and Canadian sales manager for M-G-M, returned yesterday from Florida.

●

IKE LIBSON, RKO Theatres managing director in Cincinnati, is in Florida.

●

A. G. CONSTANT, head of Interstate Theatres, Inc., Steubenville, O., is spending two months in California with MRS. CONSTANT.

●

ARCHIBALD SILVERMAN, owner of the Strand in Providence, and EDWARD L. REED, manager, sailed last weekend on a two-week cruise to Havana.

●

THEODORE ROSENBLATT, manager of Community Theatres, Centerdale, R. I., is the new president of the North Providence, R. I., Chamber of Commerce.

●

EARL N. MANBECK, JR., Carlisle, Ia., exhibitor, and BETTY ROTH were married recently.

●

NAT HARRIS, Paramount student salesman in Philadelphia, has returned to the home office.

●

LESTER H. WURTELE, Columbia office manager in Philadelphia, has left for Florida.

●

TED SCHLANGER, Warner Theatres zone head in Philadelphia, returned from Florida yesterday.

●

VINCENT HART, formerly associated with the MPPDA, has been named a captain attached to the Adjutant General's Department of the New York Guard.

E. K. O'SHEA, Central division manager for M-G-M, and MRS. O'SHEA leave Friday for Florida.

●

CHARLES CHAPLIN is expected in New York from the Coast late this week.

●

J. NOBLE BRADEN, executive secretary of the American Arbitration Association, will return from Philadelphia today.

●

JAMES R. GRAINGER, president of Republic, left by plane Sunday night for Chicago, Dallas and New Orleans and expects to return in 10 days.

●

FELIX JENKINS, general counsel of 20th Century-Fox, returned from the Coast over the weekend.

●

MONROE GREENTHAL, LOU POLLOCK, SAM SAX and SAM TULPAN at the Tavern yesterday for lunch.

●

JOHN HICKS, TOM CONNORS, ED SAUNDERS, CHARLES E. MCCARTHY, ROBERT WEITMAN, PAT SCOLLARD, SAM SHAIN, LAURENCE BOLOGNINO, E. K. O'SHEA, FRANK ALSTOCK, PAUL RAIBOURN, RUSSELL HOLMAN, GEORGE SKOURAS, OWEN DAVIS, JACK PEGLER, MAURICE BERGMAN and MORRIS KINZLER at Nick's Hunting Room in the Astor for lunch yesterday.

●

NATE BLUMBERG, JAMES MULVEY, KAY KAMEN, HARRY GOLD, CHARLES STERN, ARTHUR SILVERSTONE, EMANUEL SILVERSTONE, EDWARD PESKAY, HARRY KOSINER and STEPHEN PALLOS at Lindy's (51st St.) yesterday for lunch.

●

MARVIN SCHENCK, LOU WEINBERG, SEYMOUR POE, MAX WEISFELDT and WILLIAM MOSES lunching at Lindy's (next to the Rivoli) yesterday.

●

A. A. SCHUBART, returned yesterday from a trip to Chicago, Indianapolis and Kansas City.

●

GEORGE WARES, 20th Century-Fox salesman in St. Louis, has returned to work after an operation.

Warners Improve Phila. Area Houses

PHILADELPHIA, March 10.—Warner Theatres are modernizing and renovating five houses in this territory. Alterations are being made for the Virginia, Atlantic City; Capitol and Strand, York, Pa.; Harrogate, Philadelphia, and Victoria, Reading, Pa., which will be renamed the New Warner on opening. Work on all houses will be completed in time for Easter. In addition, a rebuilding program was announced by two independent operators here, Sidney A. and I. Edward Kapner for their Upsal, and R. Hexter for the Breeze Theatre.

New Orleans Tax Again Is in Effect

NEW ORLEANS, March 10.—The two per cent sales tax in this city is on again, at least for a time, as the State Supreme Court has suspended the injunction against collection of the tax until its constitutionality is decided. The tax affects rentals of films.

'Screeno' Outlawed By Chicago Police

CHICAGO, March 10.—"Screeno," which a short time ago was reinstated in a number of independent theatres here, ended abruptly Saturday when police officers visited the various theatres and told the exhibitors that the game was a violation of the law and would have to cease at once. The exhibitors immediately complied with the police order and "screeno" is not being played in any Chicago theatre.

Associates Decide To Open Quarters

Motion Picture Associates soon will open permanent quarters at the Hotel Lincoln, it was decided at a meeting Saturday at the Hotel Astor. The session was the first conducted by the organization's new president, Joseph J. Lee, and was attended by more than 70 members. Lee announced that Jack Ellis, former president and now a board member, will be in charge of all entertainment activities.

Obituaries

Canadian Pioneer

OTTAWA, March 10.—B. F. Stapleton, 67, president of the Centre Amusement Co. and a motion picture pioneer in Canada, died yesterday at his home here. Stapleton was one of the organizers of First National Pictures in eastern Canada.

Circuit Head's Kin

CLINTON, La., March 10.—Betty Mae Houck, 7, niece of Joy Houck, owner of a circuit of theatres in the South, was burned to death when she stepped too close to a gas heater and her clothes were ignited.

William Otterbein

NORTH BERGEN, N. J., March 10.—William Otterbein, 61, head of the American Stage Equipment Co., New York, died of a cerebral hemorrhage yesterday at his home here. For 20 years he was vice-president of the Peter Clark Co., which supplied stage equipment to many film houses. He formed his own company three years ago.

Projectionist Dies

ATLANTIC CITY, March 10.—Funeral services were held Saturday for Reese L. Wentzell, 41, for many years projectionist at Warners' Virginia here. He died after a six-weeks' illness. His wife, father, sister and two brothers survive.

Smith in Atlanta for Depinet Drive Meet

ATLANTA, March 10.—A. W. Smith, Jr., sales manager of RKO, will attend a meeting at the local exchange tomorrow with other sales executives, and will visit several other offices in connection with the Ned Depinet Drive.

Attending the session tomorrow will be Leo Devaney, drive captain; Harry Michalson, short subject sales manager, and David Prince, Southeastern district manager. Robert Mochrie, Eastern division sales manager, has returned to New York, after accompanying the other executives who left New York Feb. 25.

MOTION PICTURE
DAILY
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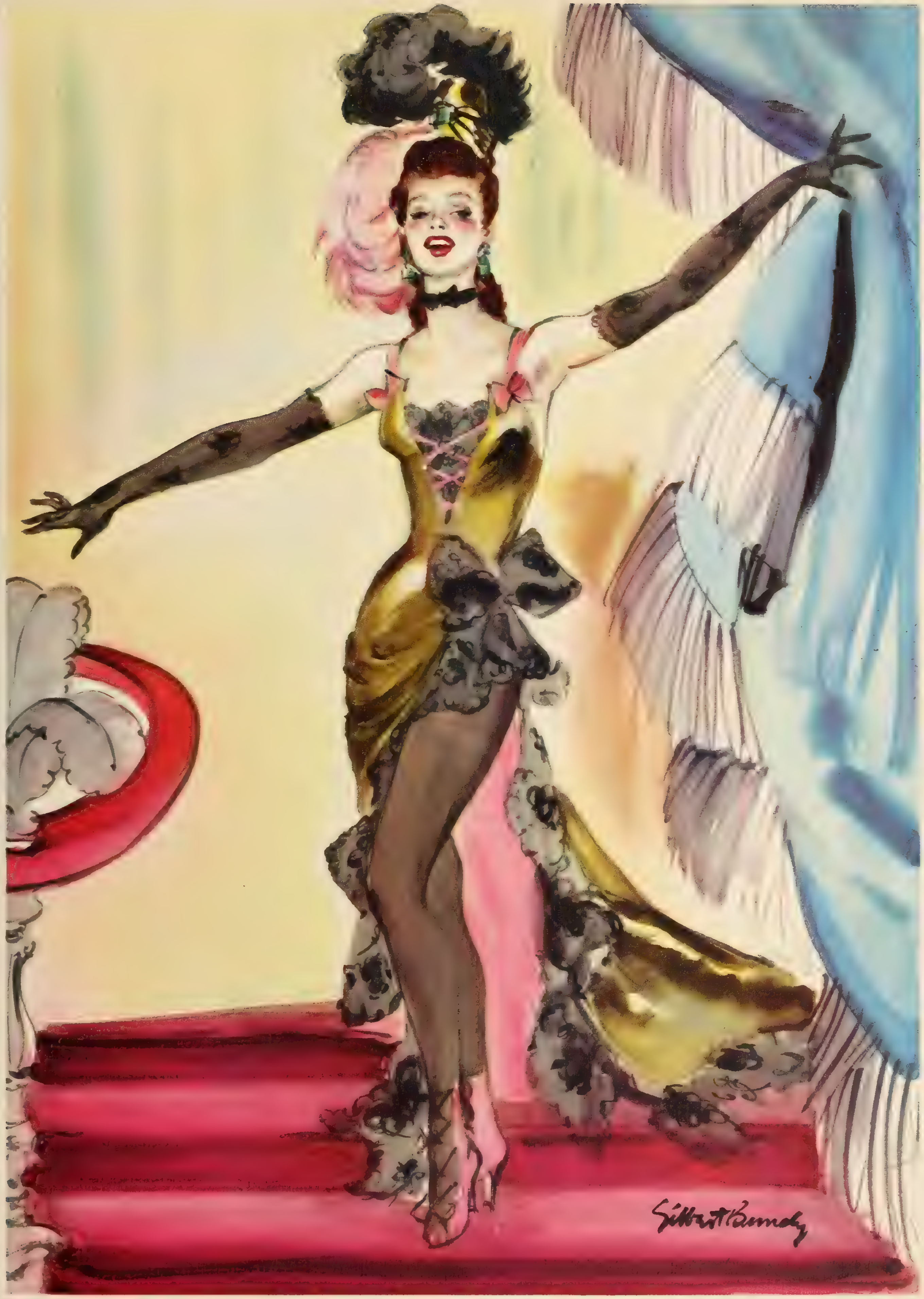


"ZIEGFELD GIRL" by Gilbert Bundy, one of the celebrated artists' series in M-G-M's national competition to capture the spirit of the Ziegfeld Girl of 1941. Among other famed artists who have contributed are John La Gatta, McClelland Barclay, Neysa McMein and Albert Varga.

The Metro-Goldwyn-Mayer's LION'S ROAR

Published in this space every month

The greatest star of the screen!

"Daddy, do you remember 'The Ziegfeld Follies'?", said Little Cub, looking up at us with large leonine eyes.

★ ★ ★ ★

And, reaching back into the haunted wings of the New Amsterdam Theatre, we were launched on the bedtime story of those nights of stars provided by the memorable Flo.

★ ★ ★ ★

Soon we worked our way to the chapter wherein M-G-M immortalized "The Great Ziegfeld", and we drifted naturally into the glamour story of 1941:

★ ★ ★ ★

THE ZIEGFELD GIRL

★ ★ ★ ★

For many moons Robert Z. Leonard, the director, and Pandro Berman, the producer, have been studding the stars in a cluster designed to give the Aurora Borealis second billing.

★ ★ ★ ★

As Tony Martin softly sings "You Stepped Out of A Dream", which is Public Melody No. 1, you will step into a dream of glorified girls—of Hedy Lamarr and Lana Turner.

Romance, in a beaming web, is spun around the personal problems of a guy played by James Stewart, the last three letters of whose name typify his work. Give up?

★ ★ ★ ★

And Judy Garland! Words fail us.

★ ★ ★ ★

Lush, plush and splendiferous, this Eyeful Tower gives us a hall of fame for a cast.

★ ★ ★ ★

For in addition to Garland, Stewart, Lamarr, Turner and Martin, there are (to name but a few) Jackie Cooper, Ian Hunter, Charlie Winninger, Edward Everett Horton, Philip Dorn, Felix Bressart, Eve Arden, Rose Hobart, Al Shean, Dan Dailey Jr., Paul Kelly, Mae Busch, Fay Holden, Ed McNamara and Girls, Girls, Girls, Girls.

★ ★ ★ ★

Settings by Gibbons, Gowns by Adrian.

★ ★ ★ ★

Magnificent! Glamorous! Mighty!

★ ★ ★ ★

THE ZIEGFELD GIRL

★ ★ ★ ★

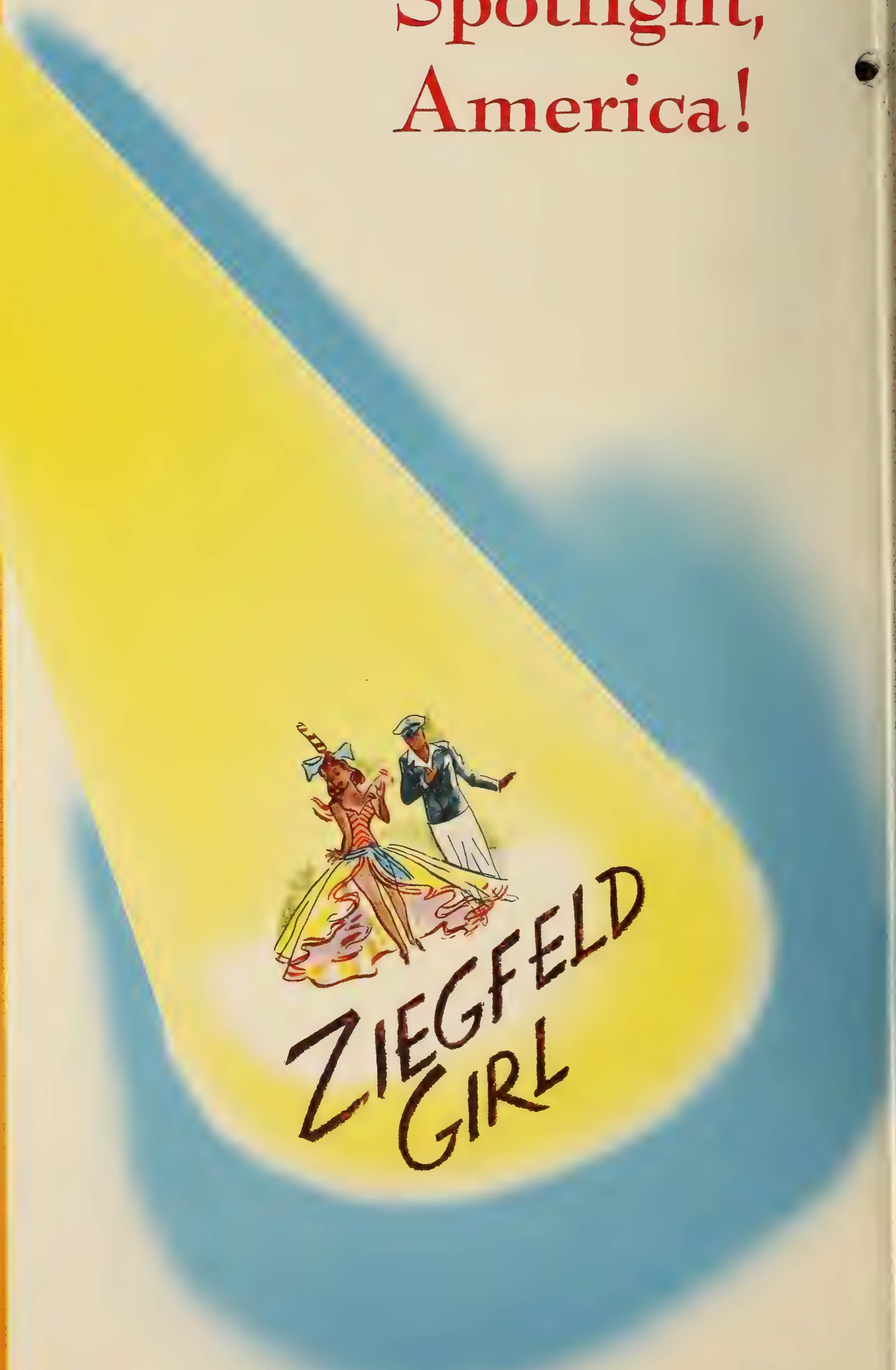
Glorifying the American lion.

—*Leo*

Advertisement for *Metro-Goldwyn-Mayer Pictures*

This column appears in: Cosmopolitan, True Story, Redbook, American Magazine, Ladies' Home Journal, Parents' Magazine, Liberty, Saturday Evening Post, Look, Hollywood Screen Life, Movie Story, Motion Pictures, Photoplay-Movie Mirror, Screen Romances, Modern Screen, Silver Screen, Screenland Movies, Movie Life, Screen Guide, Glamour, Picture Play, Country Gentleman, Capper's Farmer, Successful Farming, Farm Journal & Farmers' Wife, Progressive Farmer & So. Ruralist.

The Spotlight, America!



Pass Chaplin Film in Ecuador, Costa Rica

Despite objections by the German and Italian legations, authorities of Ecuador and Costa Rica have decided to permit the exhibition of "The Great Dictator" in those countries, it was learned here yesterday.

Reports from San Jose indicated the new Government of Costa Rica was taking a more liberal view, since its predecessor had refused to permit showing of films to which the legations of the totalitarian countries objected.

Providence Police Restricting Games

PROVIDENCE, March 10.—In an effort to end games run for commercial purposes under the guise of charity, the police have put into effect a new set of rules governing the chance games. Hereafter, under the State law passed three years ago, games may be run only by bona fide charitable organizations, and the games must be conducted in the quarters of the organization.

Enforcing stricter supervision of games, the police today denied licenses for the operation of games to four groups, including a post of the Veterans of Foreign Wars, an auxiliary of that organization, the Columbus Club and the Providence Fraternal Association.

Methodists Fight Legalizing Games

ALLENTOWN, Pa., March 10.—The Philadelphia Methodist Conference, meeting here, threw its support behind other church and dry forces throughout the state in the battle against bills now before the legislature that would legalize horse racing, slot machines, theatre chance games and other forms of socalled gambling. The conference also endorsed measures against an "open Sunday," to increase the penalty for the violation of the 1794 Blue Laws and the act prohibiting children under 15 from attending films on Sunday unless accompanied by parents.

Ohio Censor Makes 39 Cuts in February

COLUMBUS, O., March 10. — The Ohio censors reviewed a total of 438 reels in February, from which 39 eliminations were ordered. This compares with 646 reels and 47 eliminations in January, while in February, 1939, there were 459 reels reviewed and 39 eliminations ordered.

In connection with a bill recently introduced in the Ohio legislature to eliminate newsreels from censorship, it was revealed that there have been only three eliminations from newsreels in the past two years. Fee for censorship is $3 per reel.

Buys Theatre in Iowa

OGDEN, Ia., March 10. — Victor Mantz, operator of the Ogden Theatre, has bought the Grand at Grand Junction, Ia.

Feature Reviews

"Mr. Dynamite"

(Universal)

Hollywood, March 10

THIS little number starring Lloyd Nolan as a baseball pitcher involved in a murder mystery and Irene Hervey as a Canadian agent on the trail of saboteurs responsible for damage to munitions plants in the United States conforms to all the rules of the school it represents except plausibility, probability and logic. Lack of these detracts in some measure from the sum total of thrills piled up in a series of escapes, pursuits, murder attempts and so on which, coming close together and without a great deal of humor to counterbalance them, are in themselves well done.

Scene of the affair is principally, New York's "Street of Bagdad," a place of carnival, the murder at the start of the picture occurring during a ventriloquist's pitch. In the same show occurs the finale, including another murder, and the capture of the leaders in the plot to destroy American munitions works. Between these incidents many shots are fired, none taking effect, and much deducing is done by the hero and heroine.

In addition to Nolan and Miss Hervey the cast offers Ann Gillis in an effective portrayal of an adolescent, J. Carrol Naish, Robert Armstrong, Frank Gaby, Elizabeth Risdon, Shemp Howard and, in a bit, Cliff Nazarro. Marshall Grant produced, John Rawlins directing.

Running time, 63 minutes. "G."* ROSCOE WILLIAMS

"The Penalty"

(M-G-M)

THIS is exciting gangster fare with gun play in every reel. Several bank robberies and manhunts by the Federal Bureau of Investigation enliven the plot and the addition of such names as Edward Arnold, Lionel Barrymore, Marsha Hunt, Robert Sterling and Gene Reynolds make it a better than average program picture.

Arnold is cast in the role of "Stuff" Nelson, a notorious bank bandit, whose principal interests are his son (Reynolds) and a blonde friend (Veda Ann Borg). After each robbery, the F.B.I. net tightens around the fugitive but Gene is deeply devoted to his father. Finally, young Gene is seized by the police and sent to a farm in an effort to trap the bandit.

Here Barrymore, Sterling and Miss Hunt assume charge of the lad to teach him that his father's way of life is not the best. The boy remains unconvinced until the end, when Arnold returns to help Gene escape from the farm. Seeing his father shoot down Barrymore in cold blood turns him against his parent. Arnold, disgusted, decides that the boy has "gone straight." As he leaves the house, he is shot down in a hail of machine gun bullets.

Harold S. Bucquet directed and Jack Chertok produced.

Running time, 81 minutes. "G."* EDWARD GREIF

**"G" denotes general classification.*

Buys Philadelphia House

LEBANON, Pa., March 10. — The Samler Building, housing the Capitol, was purchased by Joseph Riley, prominent Philadelphian, for $75,000. The house is now operated by the Comerford Circuit on a lease that runs to July 15, 1943.

Form Yiddish Film Firm

SACRAMENTO, Cal., March 10.—Articles of incorporation have been filed here for the Hollywood Yiddish Film Corp. Directors are Nathan Hale Goldberg, S. N. West, Robert D. Katz and Jean Ruth Katz, all of Los Angeles.

Read Trade Papers to Keep Abreast Of Arbitration, MPTO Bulletin Urges

Exhibitors are urged to make full use of the trade papers in keeping abreast of the filing of arbitration complaints under the consent decree, and the subsequent disposition of the cases, in a recent bulletin to members from Ed Kuykendall, president of the M.P.T.O.A.

"The more responsible trade papers are now starting a very important service in reporting in detail the complaints filed for arbitration and the progress of each complaint," the bulletin says. "They are in a position to supply this information promptly and accurately to any and all exhibitors interested in the arbitration development."

The bulletin continues: "Through these trade paper reports you will know just how it (arbitration) operates . . . and what you yourself can expect from the arbitration system."

43 Pictures In Work as Eight Finish

HOLLYWOOD, March 10. — Forty-three pictures were before the cameras this week, as nine were started and eight finished. Seventeen were being prepared, and 68 were being edited.

The tally by studios:

Columbia

Finished: "Her First Beau," "Chain Gang."

In Work: "Senate Page Boys," "Naval Academy," "Time Out for Rhythm."

Started: "Return of Daniel Boone."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde," "The Uniform," "Lady Be Good," "Washington Melodrama."

Started: untitled Dr. Kildare.

Paramount

Finished: "Caught in the Draft."

In Work: "Skylark," "Pioneer Woman," "Little Miss Muffet," "Hold Back the Dawn," "Night of January 16th."

RKO

In Work: "Sunny," "Before the Fact," "Tom, Dick and Harry," "My Life with Caroline."

Started: "Hurry, Charlie, Hurry," "A Certain Mr. Scratch."

Republic

Finished: "Sis Hopkins," "Two Gun Sheriff."

In Work: "Pals of the Pecos," "Rookies on Parade," "Lady from New Orleans."

Started: "Singing Hills."

20th Century-Fox

In Work: "Blood and Sand," "The Great American Broadcast."

Started: "Miami."

Universal

Finished: "The Flame of New Orleans," "Hit the Road."

In Work: "Unfinished Business," "The Black Cat."

Started: "Cracked Nuts," "Horror Island," "Sandy Steps Out."

Warners

Finished: "Affectionately Yours."

In Work: "The Bride Came C.O.D.," "Sergeant York," "Three Sons O'Guns," "Highway West," "The Gentle People," "Underground."

Legion Approves 4 Of 7 New Pictures

Of seven new pictures reviewed by the National Legion of Decency this week, four were approved, two for general patronage and two for adults, two others were classed as objectionable in part, and one was condemned. The new films and their classifications follow:

Class A-1, Unobjectionable for General Patronage—"A Girl, a Guy and a Gob," "Pirates on Horseback." Class A-2, Unobjectionable for Adults —"Missing Ten Days," "Rage in Heaven." Class B, Objectionable in Part—"That Night in Rio," "That Uncertain Feeling." Class C, Condemned—"Adolescence."

Goldwyn-U.A. Deal on Stock Finally Closed

(*Continued from page* 1)

$300,000 cash for his stock and with this settlement all of his obligations under a releasing arrangement with the company will have been completely liquidated.

An announcement of the settlement is expected to be forthcoming today, as there is a meeting of the U. A. board scheduled at the home offices, and the belief in the trade is that the directors will act on the settlement at that time.

One of the obstacles which was overcome in reaching the settlement had to do with claimed returns from the company's income abroad. On the Goldwyn side, this amounted to approximately $90,000, it is said. Goldwyn is reported waiving these funds in the interest of peace and obtaining an unconditional release from United Artists.

Goldwyn's Plans Not Known

The decision to settle was reached last week on the coast and negotiations were concluded here over the weekend, it is said.

The producer's future plans are not revealed. That he may become associated with some major company other than U. A. is said to depend upon offers made to him by several firms and which he has under consideration. Additional to the U. A. possibility, Goldwyn is reported considering alternative associations with at least two other companies.

Goldwyn, who is 56, entered the motion picture business in 1910 when with Jesse Lasky he founded the then Lasky company. In 1917 he was instrumental, according to the *Motion Picture Almanac,* in bringing about the $25,000,000 Famous Players-Lasky merger. He was chairman of the new company. Later, he formed the Goldwyn Pictures Corp., in 1918, with Archie and Edgar Selwyn, and later sold his interest to Metro, once again returning to independent production. He became associated with United Artists in 1926. On Oct. 13, 1927, he was unanimously elected an owner-member of U. A. by the others who held that position.

Sale of Fairbanks Estate Share In U.A. Also Being Considered

Sale to the company or to individuals approved by the remaining stockholders of United Artists, of the one-fifth share in the company which is owned by the estate of the late Douglas Fairbanks has also been considered lately within company meetings, but so far no deal has been made, according to latest report.

Disposal to the company of the one-fifth share in the firm held by Samuel Goldwyn will reduce the number of owner-members of U.A. to four. These are the Fairbanks estate, Mary Pickford, Alexander Korda and Charles Chaplin.

Pickford and Chaplin were among the original seven owner-members who elected Goldwyn to owner-membership in United Artists in October, 1927. At that time, besides Goldwyn, Pickford and the late Douglas Fairbanks, the owner-members comprised, additionally, Norma Talmadge, Gloria Swanson, D. W. Griffith and Joseph M. Schenck.

Storm Cuts Grosses More Than Strike

(*Continued from page* 1)

for the weekend, beginning with Friday, is $13,500.

"Cheers for Miss Bishop" opens at the Music Mall Thursday, succeeding "So Ends Our Night." The latter with a stage show brought about $46,000 Thursday through Sunday. "Back Street" finishes its fourth and final week at the Rivoli tonight with about $11,000 expected.

Halt Pittsburgh Paper

PITTSBURGH, March 10.—The *Morning Post-Gazette* suspended publication last night until further notice as the result of a strike called last Thursday by 40 employes of the circulation department.

Two Arbitration Hearings This Week

(*Continued from page* 1)

cack at Westwood, N. J., has 49 days' clearance over the Central and asks that it be permitted to play day and date with that theatre or that its clearance be reduced to a maximum of seven days.

The Boston complaint, scheduled for hearing Friday was filed Feb. 13 by Paulston, Inc., operator of the Park, Nashua, N. H., against Paramount, 20th Century-Fox, RKO and Warners and asks "some run." Arthur L. Brown, Boston University law professor, was selected as arbitrator in the case.

The Chicago complaint scheduled for hearing on Saturday was filed, also on Feb. 13, by E. F. Vanderveer, operator of the State, Morris, Ill., against Loew's and seeks "some run." Charles Zane Henkle, vice-president of the Continental Illinois National Bank & Trust Co., has been selected as arbitrator.

Changing of Title Poses New Problem

(*Continued from page* 1)

Hoffberg Co., which has the American rights for the film, leaving the responsibility with the Central theatre management. The Central Theatre is under the direction of the enterprises headed by Harry Brandt, president of the Independent Theatre Owners Association (N. Y.).

In keeping with the title change the French film, doubled-billed with "School for Husbands," was advertised over the weekend in newspaper copy featuring a scantly-clad feminine figure and with accompanying text proclaiming as follows:

"8th Spicy Week (And She's Still Naughty and Chic). Also, "2 Naughty and Risque Comedies" and "A Gay Spicy Bedroom Farce."

The Production Code Administration, in its regular requirements for a code seal, insists upon title approval and also the distributor's agreement that all prints issued conform with the approved version.

12 Firemen Die in Brockton House Fire

BROCKTON, MASS., March 10.—Twelve firemen were killed and 16 injured early today when the snowladen roof of the 30-year-old Strand Theatre here collapsed during a fire which destroyed the building

1940 Profit of W.E. Up to $32,787,030

Consolidated net earnings of $32,787,030 were reported by Western Electric Co. yesterday for 1940. Result compares with net of $16,476,086 for 1939.

The company's investment in Electrical Research Products, Inc., a wholly owned subsidiary, amounted to $16,033,524 at the end of 1940. This valuation was reduced by $650,000 during the year to add to the reserve to cover possible loss due to the war and other world conditions. This reserve at the end of the year amounted to $2,400,000.

Western Electric reported total sales and other operating revenue for 1940 of $248,850,272, compared with $192,763,694 for 1939, while costs amounted to $217,068,843 last year compared with $175,964,072 the preceding year. The company reported total current assets of $108,624,456 at the end of 1940, of which $11,363,853 was cash and deposits, and $4,543,728 was in marketable securities. Total consolidated current and accrued liabilities amounted to $30,897,082.

Arguments Heard in Casanave-N.S.S. Case

Arguments were heard by N. Y. Supreme Court Justice Mortimer B. Patterson in White Plains yesterday on motions for consolidation of actions filed by Charles L. Casanave against officers of National Screen Service and against its subsidiaries, Advertising Accessories and American Display. Briefs are to be filed today on the motions. A decision is expected later in the week.

Hearings were set for March 17 on a motion by the defendants for a change of venue to New York where Herman Robbins and Toby Gruen, directors of National Screen Service, have filed an action against Casanave as vice-president and general manager of Advertising Accessories. Attorneys for the defendants were Joseph L. Hochman and Arthur B. Krim. Gustave Simons and William D. Cunningham appeared for Casanave.

The Casanave actions ask a declaratory judgment that his contract with Advertising Accessories and American display is valid. The Robbins-Gruen action seeks an accounting of alleged secret profit made in a stock purchasing and manufacturing agreement between Advertising Accessories and American Display.

Decency Unit Favors Minn. Legislation

(*Continued from page* 1)

provision for cancellation of unsuitable features.

Miss Lynch said the organization had been told exhibitors had no opportunity to cancel undesirable features under present arrangements. The representatives of Loew's, RKO, Warners and 20th Century-Fox, which previously had attacked the bill did not appear. David Shearer, their attorney, made no appearance.

The committee acted to forestall attacks on constitutionality of the bill by writing in an amendment pointing to the state's police power to safeguard public morals. Clarence O. Holten, attorney for Northwest Allied, told the committee the Federal consent decree is not a remedy for cancellation difficulties now affecting exhibitors.

Fred Strom, Northwest Allied secretary, pointed out the preview clause of the consent decree would prove impracticable since it would take too much of an exhibitor's time to see all new features.

Big 5 Dismissal in Schine Case Monday

(*Continued from page* 1)

20th Century-Fox, RKO Pictures, Loew's, Inc., Warner Brothers Pictures, Vitagraph, Paramount Pictures and Paramount Film Distributing Corp.

U. A., Universal File New York Suit Answers

United Artists and Universal yesterday filed answers to the Government's amended anti-trust complaint in the New York equity suit in Federal district court here. Columbia has been given a brief extension of time for the filing of its answer.

The United Artists and Universal answers, filed by Edward C. Raftery and Benjamin Pepper of O'Brien, Driscoll & Raftery, counsel for both companies, consisted of general denials of all of the Government's basic allegations contained in the amended complaint and asked for dismissal of the case.

Kuykendall, Richey Speak at Ia. Meet

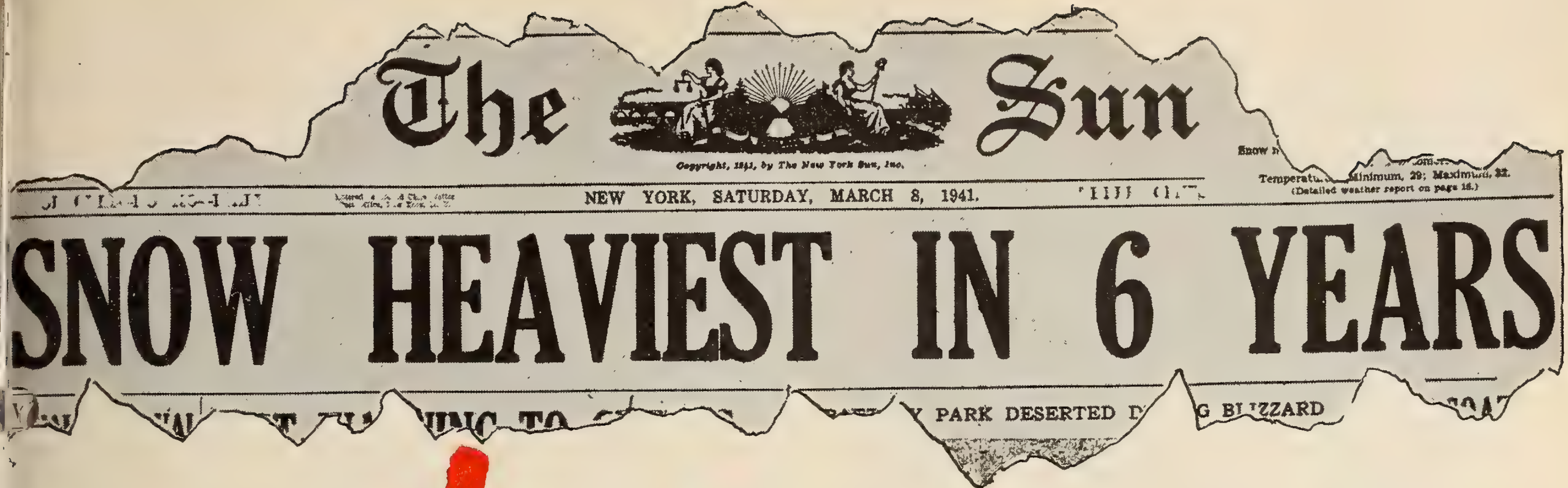
(*Continued from page* 1)

"shock absorbers" of the industry. He suggested the importance of contacting local law makers to forestall new taxes.

Richey told the meeting that the major companies are doing a better "pre-selling" job for pictures than ever before.

M-G-M expects to spend $2,500,000 on pre-selling activity during the year. To realize the full benefit of these efforts and expenditures on the part of the distributors, Richey said, exhibitors must apply themselves more earnestly than ever before to good showmanship.

Richey made a plea for every element in the industry to aid in "making the consent decree work."



The Sun

Copyright, 1941, by The New York Sun, Inc.

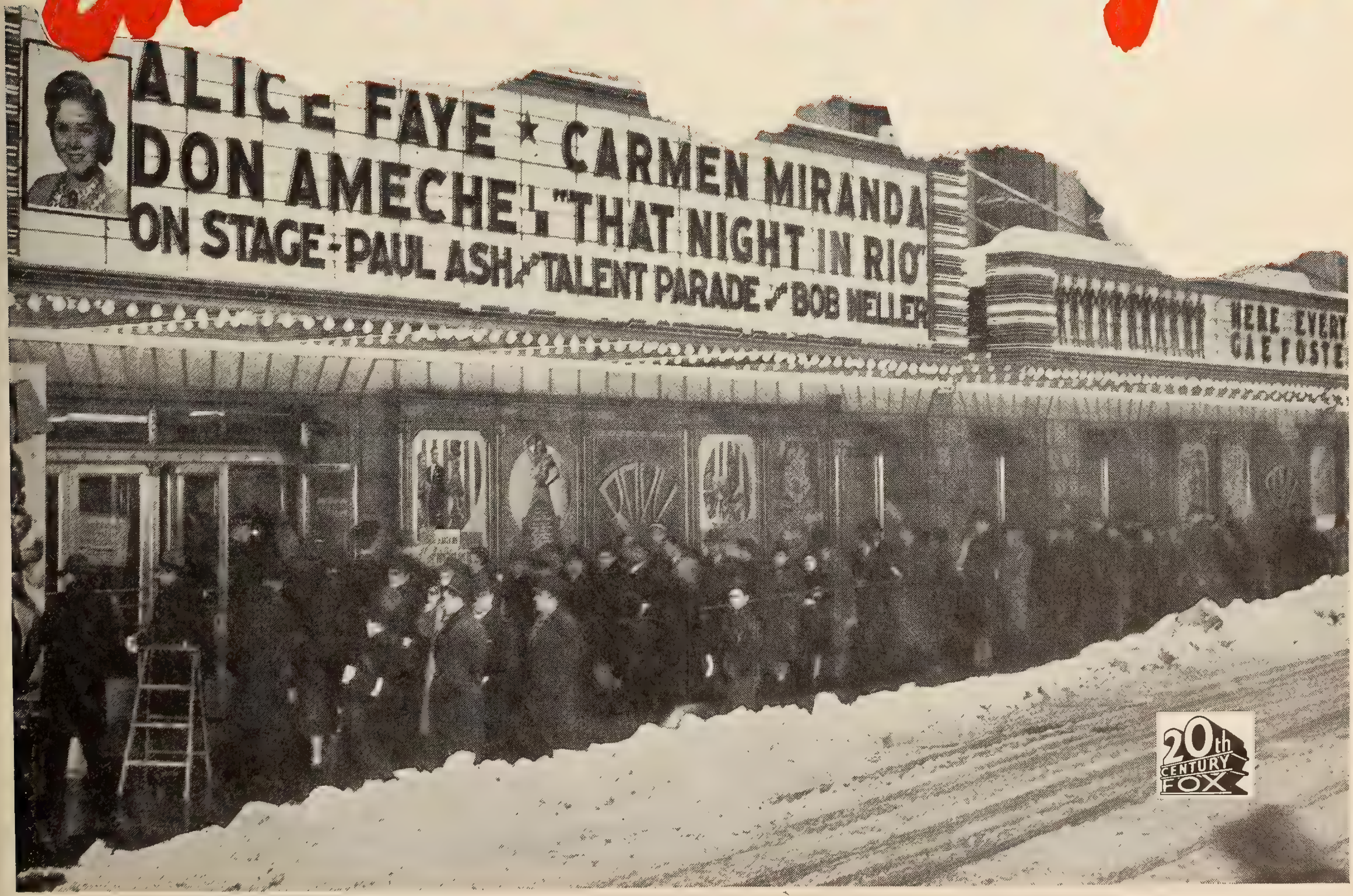
NEW YORK, SATURDAY, MARCH 8, 1941.

Temperatu… Minimum, 29; Maximum, 32.
(Detailed weather report on page 16.)

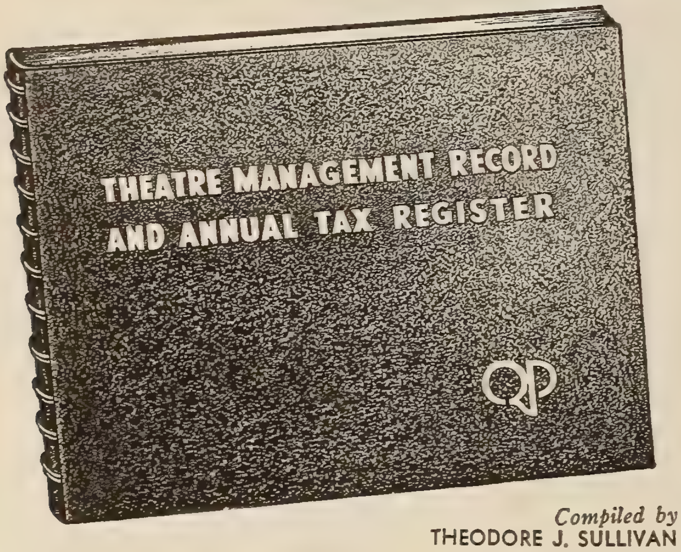
SNOW HEAVIEST IN 6 YEARS

…Y PARK DESERTED D… G BLIZZARD

-and so was business at the Roxy!


ALICE FAYE ★ CARMEN MIRANDA
DON AMECHE in "THAT NIGHT IN RIO"
ON STAGE - PAUL ASH - TALENT PARADE - BOB NELLER
HERE EVERY… GAE FOSTE…

20th Century Fox



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■ Just published for the first time, *Theatre Management Record and Annual Tax Register,* meets the urgent need of exhibitors for a simplified theatre bookkeeping system. Devised to cover all operating data, the Record enables you to keep a complete and up-to-the-minute account of every phase of your business without any bookkeeping experience. Exhibitors, this accounting system has been compiled expressly for your convenience. It is designed particularly for your needs and is a self-operating safeguard against losses and tax troubles. Once tried, you will be amazed at its utter simplicity. Order today and take advantage of the special introductory price.

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER NEW YORK

Bill in Minn. Bans Slot Films in Bars

Minneapolis, March 10. — Senator B. G. Novak introduced today in the Minnesota Legislature a bill outlawing nickel-in-the-slot films in places selling hard liquor. The measure is a companion bill to one in the House.

Marxes on Stand In Schenck Trial

Harpo and Chico Marx were called as witnesses yesterday by the Government during the third day of the trial of Joseph M. Schenck and Joseph Moskowitz in U. S. District Court. Harpo, in answer to questions put to him by U. S. Attorney Matthias F. Correa, stated that although he had been friendly with Schenck for 15 years, the latter had at no time sought to bring him under contract to 20th Century-Fox.

Both Marx brothers were questioned as to personal dealings with Schenck. At the close of the testimony Chico informed the Court that he was taking the train back to the Coast immediately to start work on a new picture Monday. According to testimony, Chico is business manager for the Marx brothers.

Victor Johnson, captain of Schenck's yacht in 1937, also was questioned yesterday.

John B. Codd, West Coast comptroller of 20th Century-Fox, will continue his testimony today.

4-Hour Shows Match Triples in St. Louis

ST. LOUIS, March 10.—The Wehrenberg-Kaimann circuit of 25 neighborhood houses will introduce four-hour shows in its theatres three nights a week, "with nothing repeated," said Fred Wehrenberg, co-partner and St. Louis M. P. T. O. president.

The move is in retaliation against the St. Louis Amusement Co. policy of triple features in several of its neighborhood houses.

The four-hour shows will be held on Tuesday, Wednesday and Thursday night of each week, beginning at 7 P.M. Giveaways will not be discontinued.

Iowa Tax Revenue $70,019 for Quarter

DES MOINES, March 10.—The Iowa amusement tax, part of the state's two per cent sales tax, for the period from July 1 to Sept. 30, 1940, on 1,363 places of amusement amounted to $70,019.04, indicating the establishments did a total business amounting to $3,500,952 in that period.

This was the tax collected on motion pictures and established places of amusement and does not include one night or one-week shows, circuses or carnivals.

Schwartz Promoted

PHILADELPHIA, March 10.—Murray Schwartz, salesman at the Peerless exchange here, has been promoted to branch manager. He fills the post vacated by William J. Heenan, who joined the local Paramount exchange as salesman.

Two Mexican Films Are Sold for Spain

MEXICO CITY, March 10.—Jesus Grovas, former Paramount manager, now a producer, has sold two films to a Spanish syndicate for exhibition in Spain. This is the first sale of Mexican pictures to that country, according to trade circles here.

Pictures with religious themes, which for several years were under a Government ban in Mexico, are now being shown with excellent results. This is seen here as indicating that the Avila Camacho Government is keeping its pledge about tolerance on religion.

Jose Luis Bueno, Mexican producer, following a recent visit to New York, is completing work on two features. They are designed to appeal to audiences in the United States. Miguel Contreras Torres is producing "The Life of Simon Bolivar."

'Love' With $8,300 Tops Indianapolis

INDIANAPOLIS, March 10.—"This Thing Called Love" and "Escape to Glory" drew $8,300 at Loew's in a week of moderate weather. At the Lyric, the Andrews Sisters and Joe Venuti's band on the stage and "Father's Son" on the screen drew $8,600.

Estimated takings for the week ending March 7:

"The Mad Doctor" (Para.)
"The Monster and the Girl" (Para.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $4,900. (Average, $6,000)

"Footsteps in the Dark" (W. B.)
"Ride, Kelly, Ride" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $4,600. (Average, $6,000)

"This Thing Called Love" (Col.)
"Escape to Glory" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $8,300. (Average, $7,000)

"Father's Son" (W. B.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Andrews Sisters, with Joe Venuti and other acts. Gross: $8,600. (Average, $8,000)

'Western Union' Is $8,600 Omaha Lead

OMAHA, March 10.—"Western Union" and "Lady With Red Hair" grossed $8,600 at the Orpheum in a good week. The weather was warm and clear.

Estimated takings for the week ending March 4-5:

"Mr. and Mrs. Smith" (RKO)
"Case of the Black Parrot" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,300. (Average, $4,000)

"Son of Monte Cristo" (U. A.)
"Keeping Company" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,200. (Average, $6,000)

"Western Union" (20th-Fox)
"Lady With Red Hair" (W. B.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $8,600. (Average, $7,200)

Wage-Hour Bill Hits Michigan Theatres

DETROIT, March 10.—A new minimum wage and hour bill for Michigan theatres has been introduced in the state legislature. It supplants a former bill which has been pigeonholed pending the action on the new measure. The old bill provided a $16 weekly minimum wage for women employes.

The new bill provides a maximum work-week of 44 hours the first year, 42 the second and 40 the third. It specifies minimum hourly wages of 40 cents the first year, 45 cents the second and 50 cents thereafter.

"Doctor's Dilemma" Will Open Tonight

George Bernard Shaw's "The Doctor's Dilemma," produced by Katharine Cornell, opens tonight at the Shubert with Miss Cornell and Raymond Massey in the top roles. The play is staged by Guthrie McClintic. Members of the supporting cast include Bramwell Fletcher, Ralph Forbes, Colin Keith-Johnston and Cecil Humphreys.

AFM Renews Drive On Radio Industry

A renewed drive by the American Federation of Musicians for the use of more muscians on radio was indicated yesterday when it became known that James C. Petrillo, president, had appointed Benjamin Selvin, vice-president of the Associated Music Publishers, as head of a committee to investigate transcription and record companies in relation to their employment of musicians.

Selvin's appointment was regarded as particularly significant because he is himself head of a transcription and recording firm as well as a member of Local 802, A.F.M.

The nature of the investigation was not disclosed and Selvin is the only appointee thus far, it was said. A detailed statement from Petrillo is expected today.

Benny Show Renewed On One-Year Pact

Jack Benny, star of the Jello series on NBC-Red, and his sponsor, General Foods Corp., have signed a new contract for an additional year, it was disclosed yesterday. Benny's present contract will expire June 1.

Terms of the new pact were not revealed. Under his present contract Benny receives $18,500 weekly, from which he must pay all costs of the program, including talent. His show has the highest rating of any program regularly on the air.

General Foods was victorious in a dispute with Benny on the length of his new contract. Benny was reported seeking a three-year pact, while General Foods was desirous of keeping it at a maximum of one year because of the uncertain international situation. Agency circles pointed out that in the event of a war food might be rationed, and a national advertiser might be embarrassed with a long-term contract for advertising a product which he could not sell.

To Quiz NBC Official In Tarkington Case

Warners filed notice in U. S. District Court here yesterday that it will take testimony on Friday from Louis MacConnach, secretary of NBC, in connection with Booth Tarkington's suit against Warners. The writer seeks $100,000 damages and an injunction to restrain exhibition of "Penrod and His Twin Brother" on the ground that Warners used his literary property without authorization. The film company has entered a counter-claim. The film was released in 1938.

Off the Antenna

W. G. H. FINCH, president of Finch Telecommunications, Inc., yesterday received permission to establish an experimental facsimile station at the company's Bendix Airport laboratory in New Jersey. The new station, W2XAH, is authorized to use frequencies between 30 and 40 m.c. with 1,000 watts power. At the same time, it was announced that Finch Telecommunications had been licensed by Major Edwin H. Armstrong to manufacture FM mobile communication and miscellaneous apparatus.

• • •

Purely Personal: *George Faulder, formerly with Erwin, Wasey & Co., has joined WMC, Memphis, as announcer. . . . Mrs. Maria M. Garrett of Warners' foreign publicity department will be guest speaker on General Electric's short wave station WGEO March 22. . . . Ted Van derVeer is a new commentator for Mutual and will be heard Saturdays, 6 to 6:15 P.M. from WSGN, Birmingham. . . . Lester Vail, of the NBC production department, has been engaged by the Theatre Guild to direct "Hope for a Harvest." . . . Fred Briggs, formerly of KVOE and KREC, Santa Ana, Cal., and KGMB and KGU, Honolulu, has been named program director of KYA, San Francisco.*

• • •

Preparing for an extended radio and newspaper campaign for Esso Oil Burners, Standard Oil of New Jersey yesterday used a new method to emphasize the importance of radio advertising to their salesmen. Since the copy will feature "Life With Father" slogans, the salesmen were gathered in one of the major network studios, shown an act from that Broadway play and instructed on how to integrate radio advertising with sales.

• • •

Program News: *The largest deal thus far set by Young & Rubicam with Mutual is the new "Amazing Mr. Smith" which will be heard on 77 stations Mondays at 8 P.M., starting April 7, under the sponsorship of American Can Co. . . . The "Quiz Kids" will be guests on "Behind the Mike" over NBC-Blue Sunday. . . . Starting March 20, "The Breakfast Club" will have the largest network of any daytime commercial program when Swift & Co. will add 68 stations for a total of 142 over NBC-Blue. . . . Starting March 24, General Mills will switch its "Gold Medal Hour" over NBC-Red. The new schedule calls for "Light of the World" at 2 P.M.; "Mystery Man" at 2:15, and "Arnold Grimm's Daughter" at 2:45, while "Valiant Lady" remains at 2:30 P.M.*

Gross to Red Cross

TORONTO, March 10.—Receipts of the opening performance of the new Brock Theatre at Niagara-on-the-Lake, Ontario, recently constructed by Jack Allen, proprietor of the Tivoli at Thorold, Ont., were donated to the Canadian Red Cross Society.

Form Radio Companies

ALBANY, March 10.—Two radio companies chartered here are: W. F. R. H. Broadcasting Corp., New York, by Samuel L. Fuller, Stuart Hedden and Earle H. Rodney, and Midstate Radio Corp., Utica, by Robert T. Jones, Arthur Carter and Daniel B. Conger.

U.S. May Seek Start of Nets-Ascap Parleys

The Department of Justice, which recently negotiated consent decrees with Ascap and BMI, may intervene to bring about negotiations between Ascap and the broadcasters on a new licensing agreement, in the event the networks do not agree soon to a meeting date, it was indicated yesterday by Ascap spokesmen.

No definite arrangements for a meeting to begin negotiations with broadcasters on a new Ascap licensing agreement have been made yet. An Ascap official said yesterday that the society would accept any opportunity to negotiate with broadcasters that "it is given a chance to." He added that he did not think "it will be necessary" to prepare a provisional contract such as has been requested by the broadcasters.

Meanwhile, a special committee of Ascap officers and directors yesterday began revising Ascap's by-laws to conform with the Federal consent decree approved by the court last week.

A principal phase of the work will be revisions covering the decree requirements for election of directors.

Since the decree will not become effective until June 1 and Ascap's annual meeting ordinarily is held in March, there appears little likelihood of a membership election of the two directors whose terms expire this month.

For Melvyn and Burgess
Merle's spirit is willing
But the two-time effect
Starts that uncertain feeling!
SOL LESSER presents
Ernst Lubitsch's "THAT UNCERTAIN FEELING"
Released thru UNITED ARTISTS

Get Full Measure of Profits
by giving full measure of enjoyment

THE MODERN
"ONE KILOWATT" ARCS
USE "NATIONAL," "SUPREX"
AND "OROTIP" CARBONS

HIGH INTENSITY PROJECTION POSSESSES BOX OFFICE MAGIC

● It gives you full measure of profits because your patrons receive full measure of enjoyment from this high quality screen illumination. The snow white light of daylight quality assures clearer reproduction of black and white pictures — color that is really natural — and clear, comfortable vision at all times.

Even the smallest theatre can now offer the comfort and enjoyment which High Intensity projection affords. The modern "One Kilowatt" High Intensity arcs are designed especially for small theatre operation. Fifty to one hundred per cent more screen light than Low Intensity projection at no higher cost.

Give your patrons a High Intensity show with pleasant and safe supplementary lighting and they will respond at the box office. If you are not now using High Intensity projection ask your dealer for a demonstration. It's a profitable investment.

1881 LEADERS THEN	1941 LEADERS NOW

The pioneer organization, from which National Carbon Company, Inc. has grown, was founded in 1881. Throughout the intervening 60 years "National" carbons, by constant research and development, have been steadily improved and adapted to the needs of the time.

THE WORDS "NATIONAL", "SUPREX" AND "OROTIP" ARE TRADE-MARKS OF NATIONAL CARBON COMPANY, INC.

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Unit of Union Carbide and Carbon Corporation
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V 49. NO. 49 NEW YORK, U. S. A., WEDNESDAY, MARCH 12, 1941 TEN CENTS

Schine Decree Is Practically Set, U. S. States

Would Drop Circuit from Buffalo Trust Suit

By BERTRAM F. LINZ

WASHINGTON, March 11.—Department of Justice officials stated today that the Government "is in practical agreement" with the Schine Circuit on the provisions of a consent decree which would eliminate it as a defendant in the Federal anti-trust suit pending at Buffalo.

It was said that the agreement, which was reached several weeks ago, leaves little to be done before final acceptance. No indications were given of the basis of settlement.

It was stated that, while no further meetings with representatives of the

(*Continued on page* 4)

Wolcott Reelected Head of Iowa ITO

DES MOINES, March 11.—Leo F. Wolcott was reelected president of the I.T.O. of Iowa and Nebraska at the close of the organization's convention at the Hotel Savery here today.

The convention adopted resolutions opposing new tax measures affecting theatres and indorsing full cooperation with the Federal consent decree and the industry's new arbitration setup. A committee was appointed and authorized to investigate suggestions to reorganize the unit and to report at the Spring convention.

W. B. Franke was reelected vice-president and W. A. Dutton secretary. C. A. Myrick and Harold Hall were elected directors.

'John Doe' Opens In 3 Cities Tonight

The Capra-Riskin film, "Meet John Doe," released by Warners, will open tonight at the Hollywood and Rivoli here, the Hollywood and Downtown, Los Angeles, and the Paramount and Beach Theatres, in Miami.

Seats for tonight's performance at the Los Angeles Hollywood will be reserved for tonight's performance only, while on Broadway, blocks of reserved seats will be held for invited guests at the two performances this evening at both houses. Other-

(*Continued on page* 4)

U. A. Confirms Deal For Goldwyn Stock

United Artists yesterday issued a statement confirming the formal closing of the agreement which relieves Samuel Goldwyn of his distribution contract with the company whereby United Artists acquires Goldwyn's one-fifth stock interest in the company. The agreement was executed at a meeting of the United Artists directors yesterday.

This confirms *Motion Picture Daily's* exclusive story yesterday of the closing of the deal and forecast of the board action.

Theatre League Sues Drama Guild

The League of New York Theatres yesterday served a complaint on the Authors League of America, parent body of the Dramatists Guild, in an anti-trust suit brought in N. Y. Supreme Court. The complaint alleges that the Guild is a combination in restraint of trade and seeks an immediate temporary injunction against enforcement of the new minimum basic agreement prepared by the Guild and which was to go into effect March 1.

The League members are not willing to accept the new contract, ac-

(*Continued on page* 4)

LEGION DISAVOWS MINN. BILL SUPPORT

National Decency Group Disclaims Backing of Allied Measure

The National Legion of Decency, through Mrs. James F. Looram, chairman of the reviewing committee, yesterday disavowed the testimony in support of the anti-blocks-of-five legislation sponsored by Allied Theatres of the Northwest in the Minnesota legislature.

The testimony was given to the House judiciary committee at a hearing on Monday by Miss Helen Lynch of Minneapolis, who said the Legion of Decency approved the bill, which provides for a 20 per cent cancellation, because the Federal consent decree does not give exhibitors the right to cancel unsuitable features.

Mrs. Looram said that Miss Lynch was not authorized to speak for the Legion of Decency. She said that its only authorized spokesmen in Minnesota are the Very Reverend Donald J. Gregory, Chancellor of the Diocese of St. Paul, and Father Martin Larkin of Duluth. The former, she said, has been asked to make plain the Legion's position.

Mrs Looram said the Legion of Decency has not "considered or acted

(*Continued on page* 4)

Hoffberg Makes A Call About 'Mlle. Ma Mere'

By A. L. FINESTONE

MOTION PICTURE DAILY yesterday published a report that trade experts were busy trying to figure out the implications of the brand new problem arising from the exhibition at the Central Theatre on Broadway of the French film advertised as "The Virgin Bride." The story reported that the Production Code Administration had examined the film under the title "Mlle. Ma Mere."

Later in the day, J. H. Hoffberg, distributor of the picture, called MOTION PICTURE DAILY by telephone.

"The story," said Hoffberg, "was somewhat embarrassing to me, but more so to other people.

"Who are those people?

"I can't tell you over the phone, but I will tell you who they are if you'll come up and see me.

"What," asked Hoffberg, "was your motive in printing the story? Who are the trade experts who are trying

(*Continued on page* 4)

Orson Welles Demands 'Citizen Kane' Release

Orson Welles, in a statement issued yesterday, declared that the public is entitled to see "Citizen Kane," the film he produced for RKO, that he has sufficient funds to buy the film from RKO to release it himself, and that under his contract, he has a legal right to demand immediate release of the film. His statement follows:

"I believe that the public is entitled to see 'Citizen Kane.' For me to stand by while this picture was being suppressed would constitute a breach of faith with the public on my part as a producer.

"I have at this moment sufficient financial backing to buy 'Citizen Kane' from RKO and to release it myself.

"Under my contract with RKO I have the right to demand that the picture be released and to bring legal

(*Continued on page* 4)

A.A.A. Reception for Appeals Board Today

The American Arbitration Association will give a cocktail reception to members of the national appeals board of the industry arbitration system at the Rockefeller Center Lounge in the RCA Building today. Prominent members of the industry have been invited to attend. The following are among those expected:

Van Vechten Veeder, George W. Alger and Albert Putnam, the appeals board members; Barney Balaban, Chief Magistrate St. George Bissell, C. V. Whitney, Martin Quigley, T. J. Connors, Neil F. Agnew, Professor W. H. Atkins, Leonard Goldenson, James V. Hayes, Mrs. Rebecca Brownstein, Joseph Proskauer, Louis Phillips, Mrs. Roger Williams Straus,

(*Continued on page* 4)

AGVA Negotiating Chicago Contracts

The Chicago local of the American Guild of Variety Artists is negotiating for contracts with the Mort Singer circuit, the Riverside Theatre in Milwaukee, the Warner circuit and the Oriental in Chicago, it was revealed yesterday in a letter by AGVA to its membership. Contracts with the Balaban & Katz circuit are ready for signature, it was said.

A plan has been devised to reorganize the AGVA national board to give each local representation. Letters will be sent before board meetings to all locals advising them of the agenda.

In Today's Issue

Reviews of "Men of Boys Town" and "Topper Returns" will be found on Page 8. . . . Television agrees on 525-line standard, Page 9.

Buffalo Chance Game Is Fought by Pastor

Buffalo, March 11.—The Rev. Neil Crawford, pastor of the University Church of Christ here, from the pulpit sharply reprimanded the operators of the Granada Theatre, Schine house, for its Saturday afternoon Pay Day for children.

It is a chance game plan in which children only participate. The clergyman scored the game as "gambling" and promised to lead a fight against it.

N. J. Anti-Ascap Bill Discussed by Allied

Allied of New Jersey members at a meeting at the Ritz restaurant in Passaic yesterday discussed the anti-Ascap bill recently introduced in the New Jersey legislature and other matters, including arbitration and a tieup between the organization and National Screen Service. A social gathering in the evening followed. Lee Newbury presided.

Buffalo Benefit Sunday

BUFFALO, March 11.—The Buffalo Variety Club will conduct its charity dance at the Statler Hotel Sunday night. Mayor Thomas L. Holling will receive for the city apparatus donated by the club for infantile paralysis victims.

Personal Mention

A-MIKE VOGEL, chairman of Managers' Round Table of *Motion Picture Herald*, arrived on the Coast yesterday via American Airlines.

•

NED DEPINET, RKO vice-president and distribution head, left the Coast last night for New York.

•

JOSEPH COOPER, Denver circuit operator, is in town.

•

HARRY MERSEY, head of the 20th Century-Fox print department, is in Miami.

•

WALTER READE, JR., son of the circuit operator, will report in Trenton Friday for a year's army service.

•

EDGAR MOSS, Philadelphia district manager for 20th Century-Fox, is resting in Hot Springs, Ark., after an illness.

•

MILTON SILVER, National Screen Service advertising director, and MRS. SILVER will have the leading parts in a "Bundles for Britain" show in Westport, Conn., Friday evening.

•

CHARLES B. MOSS, managing director of Loew's Criterion, leaves Friday for three weeks in Florida with MRS. MOSS.

•

HARRY KALMINE, Warner Theatres zone manager in Pittsburgh, plans a trip to Miami shortly.

JOHN H. HARRIS of Pittsburgh, National Chief Barker of the Variety Clubs, is in town.

•

ROBERT J. O'DONNELL of Interstate Circuit is in New York from Dallas.

•

MONROE GREENTHAL, OSCAR DOOB, BEN ABNER, C. J. SCOLLARD, RUDY MONTGELAS, F. J. A. MCCARTHY, ED SAUNDERS, E. K. O'SHEA, GEORGE SKOURAS, ART SCHMIDT and GEORGE KAUFMAN lunching yesterday at Nick's Hunting Room in the Astor.

•

LOUIS POLLOCK, LOU RYDELL, JOE GALLAGHER and MALCOLM KINGSBERG having lunch at Toots Shor's yesterday.

•

STANTON GRIFFIS, AUSTIN KEOUGH, LOUIS PHILLIPS, MARVIN SCHENCK, SIDNEY PHILLIPS, AL ALTMAN, GEORGE DEMBOW, CAROL BRUCE, RUTH GORDON, LEE SHUBERT, JOHN GOLDEN, GUY BOLTON, BORIS KAPLAN and DENNIS KING lunching at Sardi's yesterday.

•

CHARLES STERN, CLARENCE EISEMAN, J. J. MILSTEIN and ARTHUR GOTTLIEB at Lindy's (51st St.) yesterday.

•

EMANUEL SILVERSTONE, WALTER GOULD, MORRIS HELPRIN, AL MARGOLIES, HARRY GOLD and JOHN WRIGHT lunching at Lindy's (next to the Rivoli) yesterday.

•

WILLIAM J. HEINEMAN, J. J. JORDAN, ARMAND SCHNECK, DON HANCOCK, GORDON MITCHELL, ALAN FREEDMAN and IRVIN SHAPIRO having lunch yesterday at the Tavern.

•

MRS. LOU BROWN, wife of the Loew-Poli publicity chief in New Haven, will leave this week for Orlando, Fla. BROWN will join her later.

•

MORTON FREEDGOOD of United Artists' publicity staff has completed a novel to be published shortly.

8,000 Houses Sign Defense Aid Pledge

A total of 8,000 theatres already have signed pledges to cooperate fully with the Motion Picture Committee Cooperating for National Defense, according to Harry Brandt, chairman of the organizing committee. The rest of the theatres in the country are expected to send in their pledges within the next few weeks.

Film Man's Kin Killed

Matthew McGeary, a brother of Clarence McGeary of the RKO home office playdate department, was one of 12 firemen killed in the Brockton, Mass., fire early Monday which destroyed the Strand Theatre. Another brother, James, was injured.

Comerford Kin Dies

SCRANTON, Pa., March 11.—Mrs. Joseph F. Comerford died here yesterday. She was the wife of Dr. Joseph F. Comerford, nephew of the late M. E. Comerford, founder of the Comerford circuit.

Pascal Seeks Office For 'Barbara' Here

Gabriel Pascal, it is reported, must obtain separate business representation for "Major Barbara," to be released by United Artists, due to the inability of the Alexander Korda organization here to undertake supervision of the Pascal film.

Korda's New York organization, headed by Steven Pallos and Emanuel Silverstone, is concentrating on the early release of "That Hamilton Woman," Korda's latest for U.A. Sinc[illegible] Pascal production is scheduled for [illegible]lease at approximately the same time, Korda felt that his organization here would be unable to do justice to both.

Pascal, as a result, has been trying to obtain representation through the Selznick-International Company here. It is understood no deal has resulted as yet.

Para. to Release Short for Greece

Paramount will distribute at once a special short subject, "Greece Fights Back," for the benefit of Greek war relief, Neil Agnew, general sales manager, announced yesterday. The one-reel subject was produced by the March of Time, and will be available to theatres on a rental basis. All proceeds will go to the relief fund. The Greek War Relief Association will introduce the subject at a party at Toots Shor's Restaurant tomorrow.

To Contribute Weekly

NEW HAVEN, March 11.—Members of the local Warner exchange staff have pledged themselves to contribute weekly to the Greek War Relief Fund until the local campaign is over. Hannah Ginsberg and Jack Mullen are in charge.

Phila. Club Dinner To Honor Leon Levy

PHILADELPHIA, March 11.—A formal dinner dance in honor of Dr. Leon Levy, new chief barker, will be held by the Philadelphia Variety Club this Saturday at its clubrooms in the Bellevue-Stratford Hotel. The Women's Auxiliary has set April 26 as the date for its donor dinner dance, to be held at the Ritz-Carlton Hotel. Mrs. Samuel Gross and Mrs. Harry Biben are co-chairmen for the affair.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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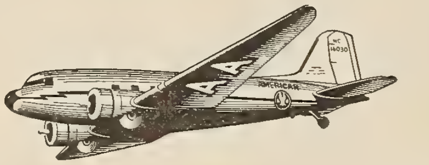


CALIFORNIA

AMERICAN'S SOUTHERN SUNSHINE ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

TONIGHT!

AT 2 NEW YORK THEATRES
THE RIVOLI
THE HOLLYWOOD

AT 2 LOS ANGELES THEATRES
THE HOLLYWOOD
THE DOWNTOWN

AT 2 MIAMI THEATRES
THE PARAMOUNT
THE BEACH

AND AT THE CRITERION,
OKLAHOMA CITY

THE FRANK CAPRA PRODUCTION FOR 1941

GARY COOPER · BARBARA STANWYCK

in

MEET JOHN DOE

with

EDWARD ARNOLD · WALTER BRENNAN

Spring Byington • James Gleason and Gene Lockhart

This Screen Play, as were most of the
major successes of Frank Capra, is by

ROBERT RISKIN

Directed by Frank Capra
Distributed by Vitagraph, Inc.

Produced at the Studios of
WARNER BROS.

Nat'l Legion DisavowsMinn. Bill Support

(*Continued from page* 1)

upon" the Minnesota bill, and is not likely to, since it regards the measure as an industry matter.

Shearer to Appear Against Five-Block Bill

MINNEAPOLIS, March 11.—David Shearer, attorney for 20th Century-Fox, Loew's, Warners and RKO, said today he would appear before Senate and House committees on the anti-consent decree bill sponsored by Northwest Allied to press his contention that the measure is unconstitutional, a charge he already has made before the House committee.

"Everybody wants to give the decree a fair trial except the relatively small group backing the bill, which is an attempt to throw the decree out the window," he said.

The House judiciary committee has scheduled final action on the bill for tomorrow, while the Senate general legislation committe at its meeting tomorrow will decide when it will vote on the measure.

A.A.A. Reception for Appeals Board Today

(*Continued from page* 1)

William Zimmerman, Sam Shain, Howard Levinson, J. Noble Braden, Lawrence Stessin, William Sussman, P. S. Harrison, Maurice Kann, Charles Lewis and Chester Bahn.

Members of the New York board's panel of arbitrators and A. A. A. officials also will attend.

Braden Says Decree Aids U. S. Defense

The industry consent decree was pictured as an important contribution to national defense by J. Noble Braden, A.A.A. executive secretary, in an address to the Harvard School of Business at the Harvard Club here yesterday.

Pointing to costly litigation between the Government and the industry which preceded the decree, Braden said that it "could not but adversely be reflected in the attitude of the general public while abroad it was just such situations which gave the impression that this was a country of wide commercial and industrial strife."

A panel of 10 arbitrators for the Albany board was made public by the A.A.A. yesterday. Typical of those comprising it are Louis Groch, Albany manager of J. S. Bache & Co., and Eugene Orvris, industrialist.

'They Walk Alone' At Golden Tonight

"They Walk Alone," a new play by Max Catto, staged by Berthold Viertel, will be presented tonight at the Golden Theatre by Ben A. Boyar. Elsa Lanchester and Carol Goodner head the cast.

Orson Welles Demands 'Citizen Kane' Release

(*Continued from page* 1)

action to force its release. RKO must release 'Citizen Kane.' If it does not do so immediately, I have instructed my attorney to commence proceedings.

"I have been advised that strong pressure is being brought to bear in certain quarters to cause the withdrawal of my picture, 'Citizen Kane,' because of an alleged resemblance between incidents in the picture and incidents in the life of Mr. William Randolph Hearst.

"Any such attempts at suppression would involve a serious interference with freedom of speech and with the integrity of the moving picture industry as the foremost medium of artistic expression in the country.

Says Character Is Fictitious

"There is nothing in the facts to warrant the situation that has arisen. 'Citizen Kane' was not intended to have nor has it any reference whatsoever to Mr. Hearst or to any other living person. No statement to the contrary has ever been authorized by me. 'Citizen Kane' is the story of a wholly fictitious character.

"The script for 'Citizen Kane' was scrutinized and approved by both RKO Radio Pictures and the Hays office. No one in those organizations nor anyone associated with me in the production of the picture believed that it represented anything but a psychological analysis of an imaginary individual. I regret exceedingly that anyone should interpret 'Citizen Kane' to have a bearing upon any living person, or should impugn the artistic purposes of its producers."

Welles' 'Kane' Contract Gave Him Wide Power

"Citizen Kane" was produced by Welles under a contract which gave him unusually wide powers in connection with selection of story, treatment and casting. While the picture was in production, and details concerning it were carefully guarded, word leaked out of the studio to the effect that it was "a story about Hearst."

When seen by a Hollywood columnist several weeks ago, the production was immediately made the focus of much controversy and discussion. Following the initial screening it was shown to Louella Parsons who immediately took a strong position against it, summoning to her side various executives of the Hearst organization together with several leading Hollywood executives.

Miss Parsons and others insisted that the production mirrored the career of W. R. Hearst and at the same time presented an unfavorable picture of the noted editor and publisher. In view of this, several key executives in Hollywood declared that the production should not be publicly exhibited because of the Hearst opposition, insisting that Hearst has always been a friend of the industry and also pointing out that the industry could ill-afford to be made the object of counter attack by the Hearst newspapers.

A proposal was tentatively advanced in Hollywood that the principal companies share the cost of the production and shelve it.

The producing company has insisted from the start that it was not intended to suggest Hearst in the picture and that the characters and incidents presented are all purely fictional. Early in the controversy Welles made a statement to the effect that the story was not about Hearst but that if there had not been a man like Hearst it would not have been written.

Various Reactions Reported

Various reactions have been reported by persons who have seen the picture, many contending that it suggests the personality and career of W. R. Hearst. All are agreed, or virtually so, that the production is of high merit in its interest-holding qualities, its novel and effective direction and in its unusual photographic effects. Welles, who plays the central character in the story, is credited with a performance of vigor and distinction.

It has been reported that the story idea of the production originated with Joseph L. Mankiewicz, M-G-M writer, who turned it over to his brother, Herman Mankiewicz. The latter is given screen credit together with Welles.

RKO Radio Pictures Corp. has made no disclosure as to its intentions about releasing the picture.

Hoffberg Phones About 'Ma Mere'

(*Continued from page* 1)

to figure it out? Maybe the trade experts who steered you onto the yarn are competitors who are jealous of the picture's success.

"There are no trade experts in the business such as you say there are. Anyone who has been in the business long enough to be an expert knows that a picture is entitled to a showing as long as it brings money into the box-office.

"I have been in the business 26 years, and I know box-office values, having handled a lot of pictures.

"Your reporter got the story cockeyed. If he would come up and see me before writing stories such as this, I would show him that the picture is doing well all over the country.

"The only people who don't like the picture are the rabble, because they do not understand subtle, sophisticated humor. It's a bedroom farce and full of risque situations, but clean. Intelligent people appreciate it.

"It's true the title, 'Mlle. Ma Mere', was dropped from the advertising, but both the title and the line 'Virgin Bride' appear on the marquee.

"The theatre management is entitled to advertise the picture in any way it will bring business, the same as the 'big trust' houses on Broadway, so long as no toes are stepped on.

"The way they are advertising the film does not violate any ethics. Neither are we."

Schine Decree Is Practically Set, U. S. States

(*Continued from page* 1)

theatre company are planned for the immediate future, the Department, nevertheless, is "satisfied with [illegible] situation."

Statement Called 'Premature'

BUFFALO, March 11.—Government representatives here and Federal court attaches could not be reached for comment tonight on the Department of Justice intimation that a "practical" agreement had been reached with the Schine Circuit on a consent decree. Unofficial sources, however, were inclined to discount the report or to regard it as premature.

No Comment by Schine Counsel

Willard S. McKay, attorney for the Schine Circuit, declined to comment on the statement from the Department of Justice until such time, he said, "as he has been officially advised by the Department of its views."

New York trade officials received the statement with surprise, recalling that a Department of Justice representative while here a few weeks ago informed the trade press that the decree negotiations with Schine had been abandoned and the Government was preparing for trial of the case.

'John Doe' Opens In 3 Cities Tonight

(*Continued from page* 1)

wise, the box-offices at both theatres will open to the general public at 6:30 P.M. one hour before the film opens. The picture will play its engagement on a continuous basis with no reserved seats, at popular prices.

Industry executives and society and official figures are expected to attend the New York opening.

WMCA will broadcast the opening tonight from both Broadway houses, from 9 to 9:30 P.M.

The New York Subway Advertising Co., which controls the advertising car cards in New York's subways and other transportation vehicles, has instituted a plan of using certain of the car cards for editorial material to stimulate public interest in the cards. This will feature a "picture of the month." First film selected is "Meet John Doe." The card has been placed in 17,000 transportation units, and carries photographs of the stars and copy praising the film.

N.Y. Theatre League Sues Drama Guild

(*Continued from page* 1)

cording to the complaint, and find the closed shop provisions against foreign dramatists particularly objectionable. League members also object to the fact that they have no voice in the sale of film rights and seek an increase from 40 to 50 per cent of the proceeds of such sales.

RKO

leads the

EASTER PARADE

with a show

made to order

for *Holiday*

Playing Time

RKO
RADIO
PICTURES

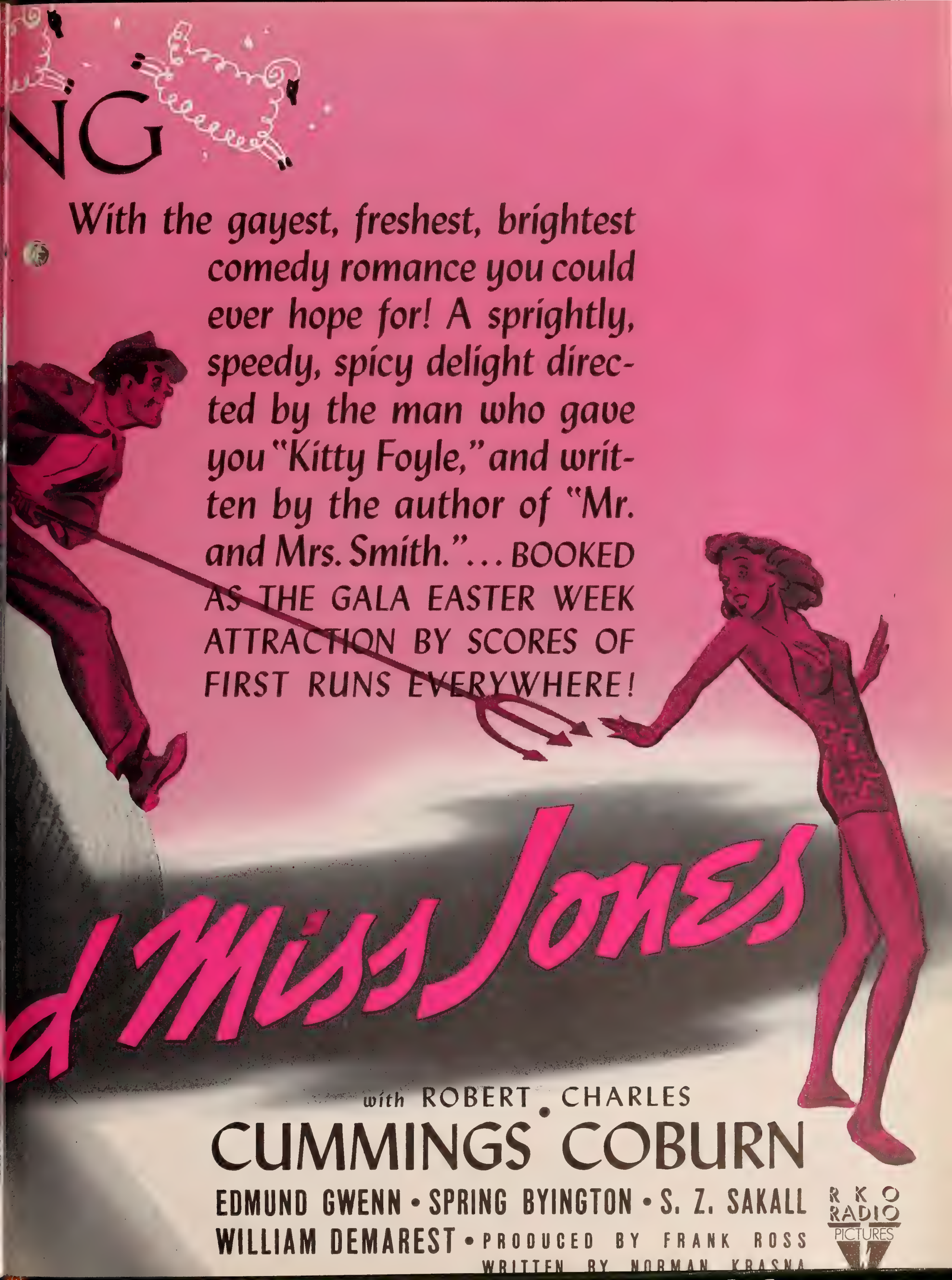
SWING INTO SPR

FRANK ROSS and NORMAN KRASNA PRESENT

JEAN ARTHUR

The "Devil" an

Directed by
SAM WOOD
Director of "KITTY FOYLE"
and "MR. CHIPS"



With the gayest, freshest, brightest comedy romance you could ever hope for! A sprightly, speedy, spicy delight directed by the man who gave you "Kitty Foyle," and written by the author of "Mr. and Mrs. Smith."... BOOKED AS THE GALA EASTER WEEK ATTRACTION BY SCORES OF FIRST RUNS EVERYWHERE!

with ROBERT CUMMINGS • CHARLES COBURN

EDMUND GWENN • SPRING BYINGTON • S. Z. SAKALL
WILLIAM DEMAREST • PRODUCED BY FRANK ROSS
WRITTEN BY NORMAN KRASNA

RKO RADIO PICTURES

British Industry Is Alarmed Over Technician Lack

LONDON, March 11.—All sections of the British film industry are seriously concerned over what they belive indicates an impending labor crisis, in view of the unofficial but authoritative reports that the Government will remove some film technicians from the list of reserve occupations.

It is reported the Government shortly will overhaul the labor reserve occupation schedules, which prescribe which classes of employes need not go into active military service, but may be classed as in reserve occupations.

May Raise Age Limit

It is believed the revision will result in stepping up the minimum age to 35 in some cases and the removal of other types entirely from the reserve listing. Producers and labor interests are convinced that such a move would result in an industry crisis.

Not only studio technicians but theatre projectionists also would be affected. It is thought likely that an all-industry deputation to protest to the Government over the expected changes may be organized in the immediate future. The new reservation schedules have not yet been published, but their terms are generally known.

Commission Approval Expected

The Association of Cine Technicians at its forthcoming annual meeting will insist that the maintenance of film technicians on the reserved occupation list is essential. The association also is expected to approve the Government plan for a Films Commission on the ground that it will prevent the sort of industry catastrophe which followed the last war.

Currently on the reserved list, with the minimum age set at 30, are cutters, cameramen, carpenters, directors, electricians, makeup men, painters, plasterers, sound engineers, producers and scenarists. Also on the reserved list, with an age minimum of 25, are projectionists.

Warner Pittsburgh Managers Shifted

PITTSBURGH, March 11.—Six staff changes have been announced for Warner theatres by Fred A. LaBelle, personnel director in this area.

Al Skigen, formerly Manor assistant manager, has been named manager of the New Oakland. Charles Alcott succeeds Edward Solomon, resigned, as assistant manager of the Warner. Milton Ripp, formerly Schenley assistant manager, has been transferred to the Enright in a similar post. Victor Goldberg, formerly assistant manager at the Ambridge, has been transferred to Cambria, Johnstown, in a similar capacity. John Marini has been promoted from doorman to assistant manager at the Mt. Oliver, and Alex Stratigos from Rowland doorman to assistant manager at the State, Wilkinsburg.

Kohlmar Settles Pact

HOLLYWOOD, March 11.—Fred Kohlmar, 20th Century-Fox associate producer for the past 18 months, has settled his contract and will report to Paramount shortly as associate producer.

Feature Reviews

"Men of Boys Town"

(M-G-M)

WITH a lavish hand, Producer John W. Considine, Jr., and Norman Taurog, director, have bestowed upon "Men of Boys Town" ample portions of those qualities of sentimentality and heart-touching drama which always can be depended upon to mean much at the box-office.

When those qualities of story have reference to the famous Boys Town of Father Flanagan, the original screen portrayal of which made such successful screen merchandise, and when the interpretations are in the extremely capable hands of Spencer Tracy and Mickey Rooney, the exhibitor has a picture which can be sold to the hilt, and which should yield most generous results.

Tracy, in the role of Father Flanagan which he created in the first "Boys Town," here again offers a portrayal so richly human and perfectly attuned to the character that in itself it becomes a strong selling point. Rooney, although at times he has a slight tendency to overplay, offers a fine performance as the mayor of Boys Town whose temporary adoption and attempt to aid a runaway from a reformatory brings new problems to Father Flanagan.

Opportunity is afforded in the script, and well handled by Tracy, to plead for more "Boys Towns" in the country, for more intelligent and sympathetic treatment of so-called wayward boys. The picture is concerned with Father Flanagan's efforts to raise money for new buildings he has begun without the necessary funds at hand, his rejuvenation of the runaway reformatory inmate, and the wiping out of that breeder of young criminals. Woven into the story is the characterization of Rooney, as a boy typical of the best that Boys Town produces, whose loyalty to Father Flanagan and his ideals makes for the dramatic incident and wide audience appeal.

The film may be considered to have slightly too much emphasis on sentimentality, and perhaps with more judicious cutting of several scenes, might have been more compact, but this detracts but little from a real box-office picture.

Bobs Watson, Larry Nunn, Darryl Hickman, Henry O'Neill, Lee J. Cobb and Arthur Hohl are most effective in an able supporting cast.

Running time, 106 minutes. "G."* CHARLES S. AARONSON

"Topper Returns"

(Hal Roach-United Artists)

COMEDY, suspense and mystery, with comedy predominating, are neatly blended to provide a "Topper" sequel which is always entertaining and compares well with its predecessor, "Topper Takes a Trip."

Employing the characters conceived by the late Thorne Smith, there has been fashioned a story which bends the popular mystery dramas of several seasons ago to the hilarious purposes of Producer Hal Roach and Director Roy Del Ruth. That story is of the murder through mistaken identity of Joan Blondell, as Gail Richards, and of the bizarre happenings which follow upon her supernatural reappearance to aid the unwilling Topper in recovering not only the corpse, which has disappeared, but in identifying the murderer as well.

Roland Young accounts for another excellent characterization of the bewildered and helpless Topper to whom the animated "ghost" of Gail Richards attaches itself. Billie Burke again gives one of her good performances as the not-too-bright wife, and Eddie "Rochester" Anderson contributes importantly to the comedy. Good characterizations are provided by H. B. Warner, George Zucco, Donald MacBride, Dennis O'Keefe, Carole Landis and others.

"Topper Returns" may best be sold as comedy, with its cast featured. However, its mystery elements should not be ignored, as the picture has moments of genuine suspense, with concealment of the murderer's identity well contrived, as is the unravelling of the mystery. It should appeal to the many who are partial either to comedy or mystery, or to both.

Running time, 88 minutes. "G."* SHERWIN A. KANE

**"G" denotes general classification.*

Loses Case Against W.B.

BUFFALO, March 11.—Supreme Court Judge Piper today denied Joan Havens an injunction to restrain the Warner circuit from remodeling and repairing the Havens at Olean, N. Y., under lease to Warners. Mrs. Havens, a one-third owner of the property, charged the project was a "waste."

Anti-Discrimination Bill

ALBANY, March 11.—Another anti-discrimination bill was introduced in the Legislature today by Assemblyman Robert F. Wagner, Jr., to make it unlawful for persons or firms conducting business involving a public interest to discriminate because of race, color or creed.

Pittsburgh Stage Has Good Season

PITTSBURGH, March 11.—Boom-time box-offices for four of the past five weeks at the Nixon, the city's only legitimate theatre, and bookings for at least seven more weeks this Spring, indicate that the season here, starting with few shows, will wind up as one of the most profitable during the past decade.

During February, "Tobacco Ro[illegible] drew $19,000 at $1.65 top in nine p[illegible]formances, "Hellzapoppin" grossed $61,000 in two weeks at $3.30 top, and "The Male Animal" pulled $11,500 at $2.75. Extra matinees were given for "Tobacco Road," which beat its last year's gross of $17,500, and for the Olsen-Johnson show.

Following "Night Must Fall" last week and the current "Blossom Time," the Nixon will present a return engagement of "The Man Who Came to Dinner," which grossed $40,000 in two weeks here a couple months ago, a return of "The Little Foxes" which premiered here two years ago, and "Twelfth Night" with Helen Hayes and Maurice Evans under American Theatre Society auspices. After a dark week, will come "Cabin in the Sky," with Ethel Waters, the University of Pittsburgh Cap and Gown Show, and "DuBarry Was a Lady." Built 35 years ago, the Nixon seats 2,216.

Chico Marx Reveals 20th-Fox Parleys

Chico Marx, recalled as a witness in Federal district court here yesterday in the Government's tax suit against Joseph M. Schenck and Joseph H. Moskowitz, testified that he had several conversations with Schenck in 1936 and 1937 regarding a 20th Century-Fox contract for the Marx Brothers.

The testimony was brought out under questioning of Harold H. Corbin, defense counsel, to prove that Schenck's entertainment expenses were part of his efforts to secure talent for his company.

Dolph Schadler, head of Loew's tax department, a Government witness, testified he prepared Schenck's tax returns from figures submitted to him by Joseph Moskowitz.

Other witnesses were Sam Silver, studio barber, and Catherine Sullivan, Joseph Moskowitz's secretary. She identified expense vouchers which she said the company paid for Schenck while he was in New York.

O'Mahoney Urges Federal Charters

WASHINGTON, March 11.—Legislation requiring Federal charters for national corporations, thorough enforcement of the anti-trust laws and the encouragement of small business by revision of tax laws were recommended today by Sen. Joseph C. O'Mahoney, chairman of the Temporary Economic National Committee. The committee held its final meeting today prior to beginning the draft of its report on monopoly in industry.

Basketball Playoff Set

The M-G-M and National Screen Service basketball teams will play for the championship March 29 at the Riverside Plaza Hotel.

Senate Group Votes On Wakefield Today

Washington, March 11.—Senate Interstate Commerce Committee will meet in executive session tomorrow to consider the nomination of Ray C. Wakefield for the vacant FCC post. Unless opposition develops, necessitating hearings, it is likely that the committee will make a report on the nomination to [illegible]e Senate immediately.

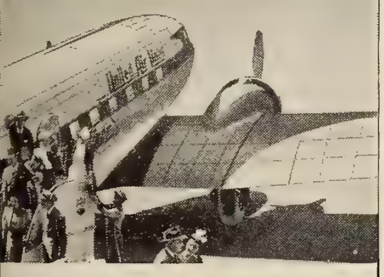
Station Ordered to Halt Ban on Union

Washington, March 11.—Capital Broadcasting Co., operator of Station WCOV, Montgomery, Ala., today was ordered by the National Labor Relations Board to cease interfering with the union organizational activities of its employes to bargain collectively with the International Brotherhood of Electrical Workers, A.F.L., as representative of its radio engineers. The station was ordered to offer reinstatement with back pay to four employes held unfairly discharged because of their union activities.

Duke Sponsors Opening

The Duke and Duchess of Windsor will sponsor the opening of "Major Barbara" at the Cinema, Nassau and Savoy Theatres in Nassau, B.W.I., on March 20. The proceeds will go to British war relief. The film was produced by Gabriel Pascal and will be released by United Artists.

To
LOS ANGELES



Thru Mainliner Sleepers
No Change of Planes

The Continental. Lv. 5:10 pm with morning arrival in Los Angeles.

The Overland Flyer. Lv. 11:10 pm with daylight for the scenic western portion of the trip.

Reservations: travel agents, hotels or

UNITED Air Lines
Airlines Terminal: 80 E. 42nd St.
67 Wall St. 649 Fifth Avenue
Pennsylvania Hotel
Ph MU-2-7300

Off the Antenna

MUTUAL will add two more stations this month to bring its total number of affiliates to 177. The new outlets are WALB, Albany, Ga., a new station which is scheduled to go on the air March 29 under the ownership of the Albany *Herald*, and KWLM, Willmar, Minn., which will join March 24. WALB will operate on 1,530 k.c. with 1,000 watts full time. KWLM operates on 1,310 k.c. with 100 watts unlimited time. The latter station also will join the Northcentral Broadcasting System, a regional network, on the same day it becomes affiliated with Mutual.

• • •

Maxwell Wane yesterday joined WMCA as sales promotion manager. He was formerly promotion manager of Look and was also retail promotion manager of the New York Evening Journal. Lillian Corsover has joined the station to handle promotion and publicity for women's programs.

• • •

Purely Personal: *Mary Rennie, director of publicity and sales promotion for WCCO, Minneapolis, is in town for conferences at CBS . . . Bernard Gimbel, Jr., president and Murray Arnold, program director, of WIP, Philadelphia, were in town yesterday for conferences of Mutual . . . Juan Arvizu, Latin American singer, has joined the staff of CBS artists. He will be featured on the new CBS Latin American short wave network to be inaugurated Sept.* 1.

• • •

Program News: *Pepsi-Cola will use a 135-station NBC-Blue hookup for Ray Perkins in "The Nickel Man" for 20 weeks, effective April 28. He will be heard Mondays through Fridays 9:55-10 P.M. . . . "Rusell Bennett's Notebook" series will be resumed over Mutual Sunday, March 23, following the close of the Szigeti violin concerto series . . . Rubsam & Horrmann Brewing Co., for R & H Beer, will sponsor Charles Ruggles, Benny Rubin and a band in "A Barrell of Fun" over WOR for 52 weeks. The program will be heard Thursday 8:30-9 P.M.*

Agree on 525 Line Standard In Television

The National Television Systems Committee has effected a compromise on the number of lines for the video signal and will recommend 525 lines to the FCC at the March 20 hearing, it was learned yesterday. In its January report to the commission, the NTSC recommended 441 lines, as it did last year.

Synchronization still remains a problem, however, although the NTSC, in accordance with an FCC request, has continued its experiments and meetings on the subject. It appears likely that the NTSC will recommend the RMA and Du Mont synchronizing pulses in the alternative, and also both the amplitude modulation and frequency modulation types.

The new 525-line standard can be transmitted without reducing the number of frames per second from 30 to 15, a reduction which would be necessary if the 625-line standard were adopted. The 525 lines are midway between the 441 lines sought by the Radio Manufacturers Association and subsequently adopted by the NTSC, and the 625 lines favored by Allen B. Du Mont Laboratories.

Ask Approval for Cleveland FM Unit

Washington, March 11.—United Broadcasting Co., Cleveland, has applied to the Federal Communications Commission for a construction permit for a new FM broadcasting station to operate on 48,500 kilocycles, covering 8,420 square miles with a population of 1,314,595.

Application for a construction permit for a regular broadcasting station was filed bv the Fort Smith Newspaper Publishing Co., planning a 550-kilocycle, 1,000-watt station at Fort Smith, Ark., and a request for change of frequency from 1,550 to 1,560 kilocycles and increase of power from 1,000 to 10,000 watts was submitted by Station KPMC, Bakersfield, Cal.

N. Y. Measure Would Regulate Loan Ads

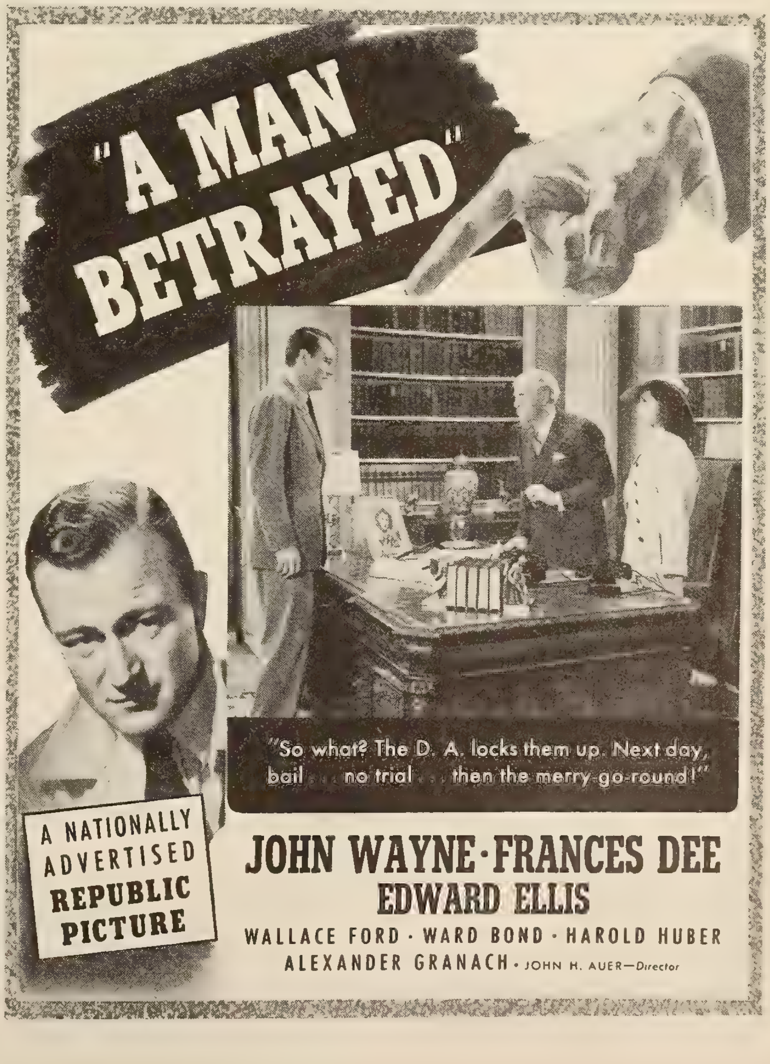
Albany, March 11.—Senator Williamson today sponsored a measure prohibiting radio advertising by banks or trust companies in which relative rates, terms or conditions for lending money were mentioned, unless the conditions for making loans was stated in terms of simple interest on the unpaid principal. The joint banking committee held a public hearing today on bills concerning advertising and broadcasting practices with regard to loans.

W. E. Sets Dividend; Leggett Will Retire

Western Electric directors yesterday declared a dividend of 75 cents a share on the common stock, payable March 31 to stockholders of record March 26. Frederick H. Leggett, treasurer and a director, will retire April 1 after 43 years' service. George B. Proud, assistant treasurer, will succeed him. Guy W. Vaughan, president of Curtis Wright Corp., was elected a director.

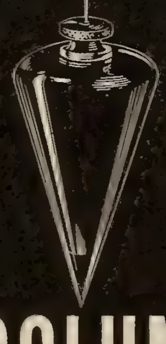
Calls Duals Harmful

Evanston, Ill., March 11. — Dr. Christian Ruckmick, pyschologist, told a public meeting of the Better Films Council here tonight that children suffer physically and emotionally by sitting through double and triple feature programs.


"A MAN BETRAYED"
"So what? The D. A. locks them up. Next day, bail . . . no trial . . . then the merry-go-round!"
A NATIONALLY ADVERTISED REPUBLIC PICTURE

JOHN WAYNE · FRANCES DEE
EDWARD ELLIS
WALLACE FORD · WARD BOND · HAROLD HUBER
ALEXANDER GRANACH · JOHN H. AUER—Director

HERE'S A PRECISE ANSWER TO THE QUESTION



The COLUMBI

"Where's the best place to get the largest network audiences, against all competition on the air, today?"

Current program ratings give the answer impartially for all networks. And every grouping of them tells the same story.

COLUMBIA IS FIRST—by wide margins!

Take the most tensely competitive of all program hours: 8:00 to 10:00 in the evening.

Current program ratings (in *both* the standard rating services) show that on week-day evenings:

> **CBS delivers the largest audience to its sponsors, against all direct competition on the air, five times more often than the second network.**

Here's the exact score (by quarter hour periods) from the most widely accepted rating service:

> **30 "firsts" for CBS . . . 6 "firsts" for Network B . . . 4 "firsts" for Network C.**

For the *entire* week-day evenings (six o'clock through midnight) the score remains better than *three to one* in Columbia's favor.

For *all* seven evenings of the week, the data show:

CBS —71 quarter-hour "firsts"
Network B—41 quarter-hour "firsts"
Network C—15 quarter-hour "firsts"

And CBS maintains its substantial lead in program-firsts through the *entire* day.

THIS IS NETWORK LEADERSHIP...

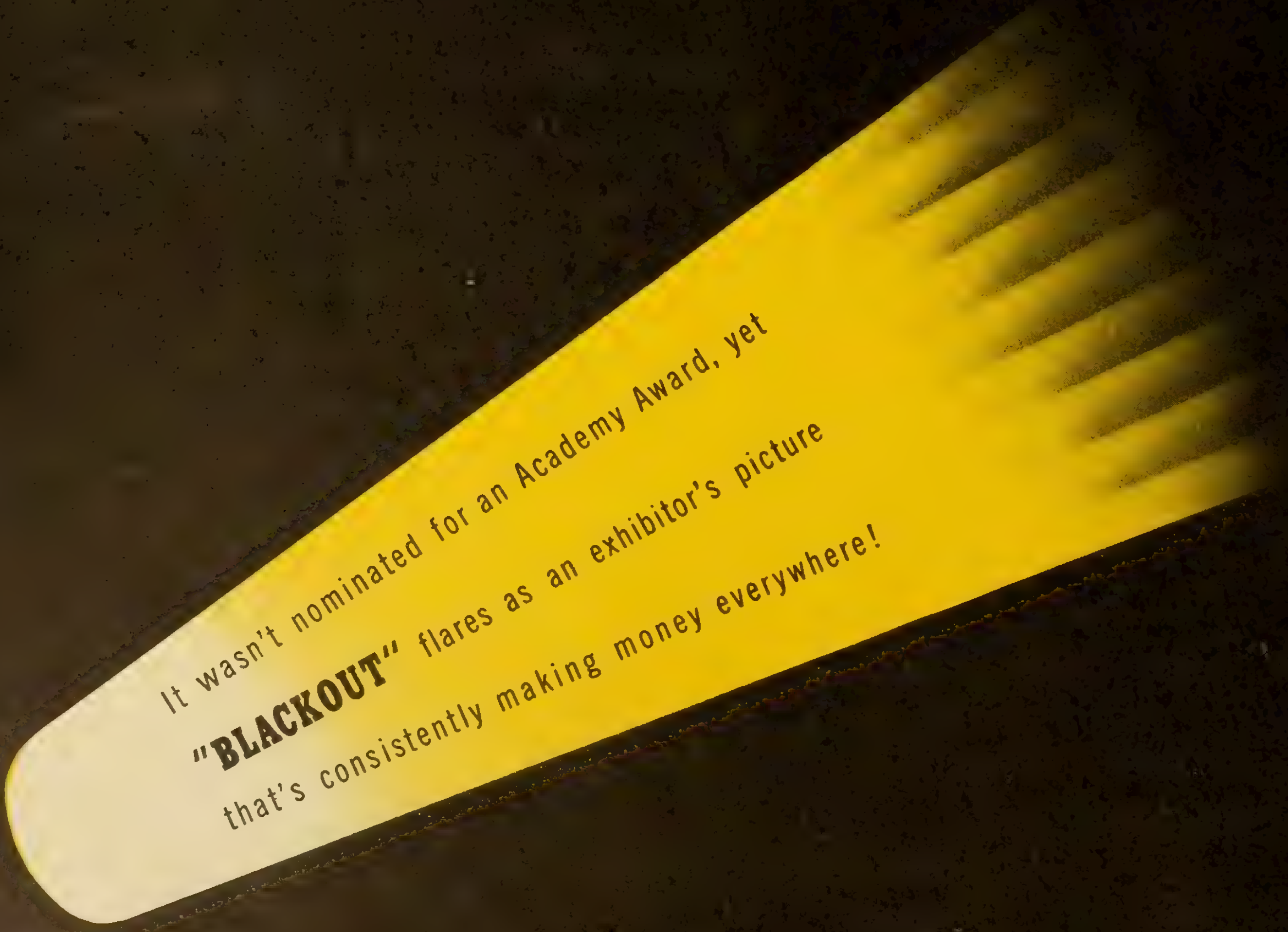
Each CBS sponsor directly benefits from the strongest program schedule in radio—passing on great audiences from one program to the next, more often than any other network.

You find its obvious reflection in the advertiser's, as well as the audience's, preference for CBS.

Most sharply, perhaps, in the fact that the country's *largest* advertisers—those with the biggest jobs to do—chose *Columbia* more often than they chose any other network.

In 1941, as in 1940, 1939, 1938, 1937, 1936, 1935 and 1934.

BROADCASTING SYSTEM Pace-setter of the Networks



It wasn't nominated for an Academy Award, yet
"BLACKOUT" flares as an exhibitor's picture
that's consistently making money everywhere!

"BLACKOUT" starring CONRAD VEIDT and VALERIE HOBSON • Released thru UNITED ARTISTS

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

49. NO. 50 NEW YORK, U.S.A., THURSDAY, MARCH 13, 1941 TEN CENTS

Gov't Station Is Urged to Inform Public

TNEC Cites Need for 'Adequate Machinery'

WASHINGTON, March 12.—The establishment of a Government-owned and operated radio station for the dissemination of information on public problems, particularly including the activity of lobbyists, is recommended in a Temporary National Economic Committee report.

The monograph, prepared by Donald C. Blaisdell, an economist of the Temporary National Economic Committee, urges the Government station in the event that it is not possible to require private radio chains to keep the public informed as a condition of retaining their licenses and as a public service.

Blaisdell recommended the registration of lobbyists as well as the publicizing of their activities by radio.

Citing the Motion Picture Producers and Distributors of America among

(Continued on page 7)

Dispose of Ascap Case in Wis. Today

Disposition of the Government's criminal information pending against Ascap is scheduled to be made today in Federal District court at Milwaukee.

Ascap officials and attorneys, including Gene Buck, E. C. Mills, John G. Paine, Louis D. Frohlich and Herman Finkelstein left New York last night to attend the Milwaukee hearing. The case is scheduled to be disposed of through the levying of fines totalling $24,000 against Ascap and some of its publisher members.

Meanwhile, the National Association of Broadcasters has apparently

(Continued on page 7)

'Doe' Has Double Opening on B'way

"Meet John Doe," the new Frank Capra production being released by Warners, was given its two-theatre opening on Broadway last night with virtually all of the fanfare and swarms of sightseers which ordinarily accompany only those premieres which offer a generous assortment of stellar names for their audiences.

The picture begins its continuous runs at both houses today, after the

(Continued on page 7)

Para. Purchases Japanese Bonds

Paramount has purchased Japanese government bonds totaling 765,000 yen (approximately $179,000 at the present exchange rate) with its blocked currency in that country, according to cabled dispatches from Tokyo which credited the information to Japanese newspapers.

John W. Hicks, Paramount vice-president and foreign manager, could not be reached yesterday for comment.

$243,482,000 1939 Gross at 517 Exchanges

WASHINGTON, March 12.—Receipts of 517 film exchanges operating throughout the country in 1939 were $243,482,000, an increase of 10.4 per cent over the $220,605,000 reported by 533 exchanges for 1929, it was reported tonight by the U. S. Census Bureau.

[*The Motion Picture Almanac for* 1940-'41 *lists a total of* 436 *exchanges in the United States.*]

Preliminary figures compiled by the bureau showed that 303 producer-

(Continued on page 3)

MINNESOTA BILL WINS APPROVAL

Distributors Wage Fight Against Georgia Bill; Hearing on Today

By LEE ROGERS

ATLANTA, March 12.—Distributor representatives have gone to work in earnest in an effort to prevent passage of the bill to contravene the selling provisions of the Federal consent decree in the Georgia House, after its passage in the Senate late last week without opposition.

The House judiciary and rules committee will hold a public hearing on the measure at noon tomorrow. Large delegations to argue both sides arrived today to attend the hearing. Independent exhibitor representatives were confident tonight that the bill would pass the House as it did the Senate.

The Georgia bill, similar to the one pending in Minnesota, would permit the distributors to offer their full season's program in block with a 20 per cent cancellation to the exhibitor.

Since the startling success of the bill in the Senate, where distributor representatives said it was passed under the guise of an administration measure, they have intensified efforts to have the bill killed.

They contend that it is illegal since it is contrary to the consent decree of a Federal court. They also urge that the decree should be given a fair

(Continued on page 3)

House Unit Recommends Anti-Decree Measure With 'Moral' Clause

By ROBERT E. MURPHY

MINNEAPOLIS, March 12.—The House judiciary committee of the Minnesota legislature today recommended for passage the bill intended to set aside the blocks-of-five provision of the Federal consent decree and to regulate the film industry in Minnesota. The Senate general legislation committee conducted additional hearings on a companion bill, but deferred action for one week.

At the request of the Minneapolis Legion of Decency, the House committee added an amendment calling for cancellation of films by exhibitors on moral, racial or religious grounds.

The Legion was represented by Miss Helen Lynch, secretary of the Minneapolis Council, who appeared despite statements she was not authorized by the National Legion of Decency.

Donald Rogers, attorney, and Ralph Cramblet, district manager for United

(Continued on page 3)

New Blackout to Cover Entire Puget Sound Area

By WILLIAM A. PRAGER

SEATTLE, March 12.—A second "test blackout" is planned by military authorities here, which would include the entire Puget Sound area. The date for the blackout has not yet been determined. The first successful blackout, in Seattle only, was held last week.

The territory to be included consists of Seattle, Tacoma, Everett, Bellingham, Vancouver and Victoria, B. C. Obviously the experiment is to be a joint defense effort of the military authorities of the United States and Canada.

Local exhibitors are hoping the time will be changed from the 10:30 to 11 P.M. period used for the initial test.

Last week's experiment, hitting

(Continued on page 7)

Hays Visits F. D. R. On Defense Plans

WASHINGTON, March 12.—Will H. Hays, who arrived here today en route to New York from the Coast, visited the White House to acquaint President Roosevelt with the film industry's activities in cooperation with the national defense program and the problems which confront it in the way of labor and supply requirements affected by defense priorities.

Hays reported on the production of films supporting the Administration's rearmament effort, on the cooperation extended in improving relations with Latin American countries and other

(Continued on page 3)

$25,000 Ad Cost on Opening for 'Wings'

Paramount, under the direction of Robert Gillham, director of advertising and publicity, will spend at least $25,000, it is reported, in advertising to exploit the opening of the film, "I Wanted Wings," at the Astor Theatre on March 26. The film is reported set for an eight-week stand, and the ticket arrangement as well as the general theatre operations of the house will be under the direction of Robert Weitman, managing director of the Paramount Theatre, who will work in cooperation with Lee Kamern, manager of the Astor. Weitman will supervise the front decoration and

(Continued on page 3)

Reviewed Today

"Meet John Doe" is reviewed on Page 3; "Road to Zanzibar" on Page 7.

Coast Flashes

Hollywood, March 12

PRESIDENT AVILA CAMACHO of Mexico today telegraphed James Roosevelt a formal invitation to open his "Pot o' Gold" in Mexico City for the first Pan-American world premiere, April 12, and Roosevelt accepted. The President's message, transmitted through Secretary of State Aleman of Mexico, stressed the cordial relations between the republics. The exchange of wires brings to a final phase the plans already made known for flying studio and press groups from Hollywood to the Mexican capital for the premiere.

•

Don Ameche today signed a long term contract to appear on the Kraft Music Hall show Thursday evenings on the NBC-Red. He will be an addition to Bing Crosby, Bob Burns and other regulars.

•

Paramount today announced that "Louisiana Purchase," B. G. DeSylva's Broadway show which it recently purchased, will be filmed in Technicolor. DeSylva heads Paramount production.

British Trade Hits New Reserve Lists

LONDON, March 12.—Representatives of all branches of the industry will meet with the British Minister of Labor tomorrow to ask reconsideration of the new reserve occupation listing, which it is feared will accentuate the industry's already acute shortage of technicians.

The new plan, to take effect April 1, will raise the age for reserve occupations as follows: projectionists, 35; painters, plasterers, carpenters and electricians, 35. Non-craft workers have been eliminated from the reserve listings entirely. It is estimated the new rules will affect 3,000 projectionists and 1,500 studio technicians.

Cleveland Trade to Entertain Shut-ins

CLEVELAND, March 12.—Local exchanges, the operators' union and the Cleveland Variety Club are cooperating to provide a series of film programs for shut-ins in Cleveland hospitals and institutions.

Mrs. Georgia Moffet of the Variety Club is booking the films, which will be presented at 55 agencies. The union will donate the services of two operators for each showing.

N Y Budget Passes With Censor Fees

ALBANY, March 12.—Tax imposed on original film and prints when submitted for licensing to the New York State censor was continued today under the State budget passed both by the Assembly and Senate.

No new tax levies were made and the one per cent emergency impost on personal income taxes will be dropped in 1942.

RKO Signs Garnett

HOLLYWOOD, March 12.—Tay Garnett has been signed by RKO to direct "Unexpected Uncle," an Erich Pommer production from the *Liberty Magazine* serial by Eric Hatch.

Personal Mention

BARNEY BALABAN returned from Florida yesterday. He was accompanied from Washington by ARTHUR ISRAEL, his assistant.

•

MAURICE BERGMAN, 20th Century-Fox advertising manager, was home with a cold yesterday.

•

HAL HORNE, vice-president and Eastern representative of Walt Disney Productions, returned from the Coast yesterday.

•

GEORGE BEATTIE, recently appointed sales manager of the Paramount Philadelphia exchange, became the father of a son last week.

•

GEORGE A. NEVIN, manager of the Capitol in Danville, Pa., has been elected chairman of the Danville Chapter of the American Red Cross.

•

MAXWELL WEINBERG, manager of the Little Theatre in Baltimore, and MARTHA BERMAN were married early this week.

•

GEORGE WEBER of M-G-M's New Haven exchange, has gone to Cleveland.

•

LAWRENCE WYNNE of the Comerford Theatre, Scranton, Pa., has entered the Army.

•

MAURICE SILVERSTONE, LOU POLLOCK, HANK LINET, MARVIN SCHENCK, DAVE LIPTON, MORT WORMSER TESS MICHAEL, EDWARD MCEVOY, J. H. HOFFBERG, JEFFREY BERNERD, HENRY JAFFE and JACK MILLS lunching at the Tavern yesterday.

ARTHUR M. LOEW, M-G-M vice-president in charge of foreign activities, is scheduled to return to his office today following a Coast visit.

•

MONROE GREENTHAL, DAVID WESHNER, CLARENCE EISEMAN, SAM SHAIN, EMANUEL SILVERSTONE, HARRY KOSINER, EDWARD PESKAY, AL MARGOLIES and LOU WEINBERG having lunch at Lindy's (next to the Rivoli) yesterday.

•

LAUDY LAWRENCE, MORT SPRING, JOSEPH ROSTHAL, WILLIAM MELNIKER, DAVID BLUM, HENRY KRECKE, I. E. LOPERT, LESTER FULLER, CHARLES SONIN, SIDNEY PHILLIPS, HARRY THOMAS, GEORGE HALE, DENNIS KING, CLAYTON BOND and FRANK PHELPS at Sardi's yesterday for lunch.

•

LOWELL CALVERT, RUSSELL HOLMAN, MORRIS KINZLER, CHARLES E. MCCARTHY, JOHN BYRAM, GEORGE SKOURAS, WILLIAM MORRIS, JR., STANTON GRIFFIS, E. K. O'SHEA, JOHN W. HICKS, GEORGE WELTNER, ED SAUNDERS, OSCAR DOOB, LOUIS NIZER and MAX A. COHEN lunching yesterday at Nick's Hunting Room in the Astor.

•

WILLIAM BRANDT, FREDRIC MARCH, LOUIS BERNSTEIN, MARTIN MOSKOWITZ and ARTHUR GOTTLIEB having lunch yesterday at Lindy's (51st St.)

•

ARTHUR HORNBLOW, JR., is due today from the Coast.

•

RUTH GOLDBERG, cashier at the RKO New Haven exchange, is visiting in Washington.

Hammons Plans to Re-enter Production

Work is scheduled to start within the next two weeks at Eastern Service Studio on the first of a short subject series to be known as "Hands of Destiny," Earle W. Hammons, formerly head of Educational Pictures, announced yesterday as part of his plans to return to active production in the East.

Al Christie will direct. Hammons also plans to produce a feature on the Coast, he said. No release arrangements have been made yet for the shorts and he is negotiating financing for the feature. The story for the latter has been purchased, he said.

Lustig Is Publicity Head for Goldwyn

HOLLYWOOD, March 12.—Myron Lustig, for seven years publicity and advertising director for M-G-M in Australia, has been named publicity and advertising director for Samuel Goldwyn, effective this week.

Acquires British Film

American rights to the two-reel documentary film, "Battle of London," have been acquired by Mack Littman. The film depicts London before, during and after the heaviest bombardments, and commentary is by Frank Philips, B. B. C. commentator. The subject was reviewed from London in *Motion Picture Herald* of Jan. 11 under the title, "London's Got Grit."

Reade Honored by RKO Circuit Heads

Walter Reade, Sr., was tendered a luncheon at the Rockefeller Center Luncheon Club yesterday by officials of RKO Theatres on the occasion of completion of alterations on the RKO Trent at Trenton, and the breaking of ground today for the new RKO theatre in Trenton.

Reade, some of whose houses are pooled with RKO in New Jersey, was presented a watch by Malcolm Kingsberg, vice-chairman of the K-A-O board. A gift also was presented to Walter Reade, Jr., who enters the Army tomorrow. Others present were J. J. O'Connor, Leon Goldberg, Fred Meyers, L. E. Thompson, Alex Reoch, J. M. Brennan, Richard Huber, Allan Wolf and Charles Bryan.

Universal Corp. Reelects Directors

All retiring directors of Universal Corp., parent company of Universal Pictures, were reelected at the annual meeting of stockholders at the home office yesterday.

Those reelected are: N. J. Blumberg, Paul G. Brown, D. C. Collins, J. Cheever Cowdin, Preston Davie, Peyton Gibson, Ottavio Prochet, Charles D. Prutzman, J. Arthur Rank, Budd Rogers, Daniel M. Schaeffer and W. H. Taylor, Jr.

Wis. Senate Kills Daylight Time Bill

Madison, Wis., March 12.—After twice being revived, the Wisconsin Senate has finally killed the Murray Daylight Saving measure.

Variety Club Party Committees Add

Additional committees on arrangements for the National Variety Clubs convention, to be held in Atlantic City, May 15-17, have been appointed by John H. Harris, national chief barker.

The appointments include those of George F. Dembow as chairman of the trailers and short subjects committee; Earle W. Sweigert, chairman of the banquet committee; Harry Kalmine, chairman of the printing supplies committee, and Frank Gravatt, chairman of the pier and theatre courtesies committee.

Members of the publicity committee are: Charles E. Lewis, chairman; Maurice Kann, co-chairman; James Cunningham, Abel Green, Chester Bahn, Sam Shain, Eli Sugarman, Ray Lewis, Herb Miller, Arthur Ungar, William Wilkerson, Mo Wax, Lionel Toll, Welford Beaton, P. S. Harrison and James Finn.

Tentative program arrangements call for a meeting of national officers and canvassmen on opening day, May 15, with a luncheon and fishing and boating party that afternoon, and boxing and wrestling matches at night. The main business session will run all day May 16, followed by a lobster dinner and night club party and entertainment. On the final day a golf tournament and boardwalk pageant is scheduled, with the farewell banquet following.

Washington Club To Honor Berger

WASHINGTON, March 12.—Rudolph Berger, M-G-M exchange manager, will be honored at a Variety Club testimonial dinner April 7 celebrating his 30th anniversary in the film industry.

Sam Wheeler, head of the 20th Century-Fox exhange, is ticket chairman for the event, which will be held at the Willard Hotel. Sidney Lust is general chairman.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Minn. Measure Wins Approval In Committee

(Continued from page 1)

Artists, told the committee United Artists could not operate under the [illegible] because it could not determine in advance what pictures its various units would produce during a given period.

David Shearer, representing the major company assentors to the decree, except Paramount, also appeared and reiterated his charge that the bill was unconstitutional. The industry as a whole wants to give the decree a trial, he told the committee. Shearer represents M-G-M, RKO, Warners and 20th Century-Fox.

Clarence O. Holten, attorney retained by Northwest Allied, which sponsored the measure, and Fred S. Strom, secretary of the organization, appearing for the bill, reiterated arguments they presented at previous committee sessions.

The Senate committee heard only opponents of the bill at today's session, with M. A. Levy, district manager for 20th Century-Fox, Rogers and Shearer appearing. They urged that the measure would not only scuttle a plan to settle much of the industry's difficulties, but would add more difficulties and perhaps prevent operations in Minnesota. The Senate committee will hear proponents next week.

Levy said the bill would so slow up distribution in Minnesota that films would be played "very late," and possibily that situation would bar the company entirely from operating in the state.

Shearer made the point that the bill makes no provision for disposal of the features cancelled by an exhibitor under the 20 per cent cancellation clause, since it provides for the sale of an entire season's product, of which the rejected features would be only a portion.

Feature Review

"Meet John Doe"

(Capra-Warners)

HERE it is, Mr. Exhibitor. "Meet John Doe," the first independent production of the Frank Capra-Robert Riskin combination, and carrying the unmistakable stamp of the Capra technique, a technique which has made Capra a director with the marquee pulling power of a ranking star, and has made his pictures synonymous with box-office dollars in abundance straight across the country.

Here is box-office power, a picture with a tremendous popular pull. It tugs at the heart-strings, raises hopes of better things to come, plays upon the tightly-drawn strings of public sentiment in a world uncertain and plunging aimlessly about. The picture has the inherent drama of fighting for causes, but it is attuned to the average man, Mr. John Doe, the man without a name, the whole people. It is the average man in terms that everyone understands, and as such it should have an appeal for the whole people.

It has those basic elements of box-office magic of drama, of subtly applied humorous touches most aptly placed for maximum effect, of a slow-growing love which is screen romance at its best, and of sincere, honest fight for a cause, all wielded masterfully by the hand of Capra to produce Entertainment, spelled with a capital "E."

In the role of that average man, living his performance in a character which fits his personality as a glove fits a hand, is Gary Cooper, a marquee name of the first order, and offering a job of acting as good as you will see in many a long year. Opposite him is Barbara Stanwyck, giving as good as or better than she ever has done before, while equally good are such supporting players as Edward Arnold; Walter Brennan, who gives concrete evidence of the justification of that Academy Award; James Gleason; Spring Byington, Regis Toomey and numerous others.

The story, stripped of all the byplay and overtones of significance, of drama and comedy which contribute so much to its box-office power is this: Miss Stanwyck, about to lose her job when tycoon Arnold buys the Bulletin, concocts a letter from a John Doe, who, unable to face man's inhumanity to man, promises to jump from the City Hall roof on Christmas Eve to arouse the world to its plight.

As a circulation stunt, she sells Gleason, Arnold's tough editor, the idea of finding a John Doe, and out of a host of hungry hoboes picks Cooper, a baseball pitcher whose arm has gone bad. With misgiving, his hobo friend Brennan watches from the sidelines, as the stunt mushrooms, Arnold takes it over with John Doe Clubs across the country, planning it as a national pull for his White House aspirations.

Cooper, coming to believe in what he is stumping across the country to put over, suddenly learns from Gleason that a gigantic John Doe Club convention has been engineered by Arnold to launch his third party. Cooper's attempt to tell the truth is scotched by Arnold, and Cooper's dream is shattered. Going to keep the promise of that first faked letter, to make his millions of former followers believe, Miss Stanwyck saves him, pointing the way to a new start and new hope, as Arnold sees for the first time what faith in an ideal can mean.

Running time, 123 minutes. "G"* CHARLES S. AARONSON

**"G" denotes general classification.*

Distributors Wage Fight on Ga. Bill

(Continued from page 1)

trial inasmuch as the proposed Georgia law provides the same selling system as exists now, to which exhibitors have objected.

Leading support for the bill appears to be from the large circuit operators. Senator Homer Edenfield, who introduced it, is from the district of Arthur Lucas of Lucas & Jenkins, a Paramount theatre affiliate.

Scheduled to support the measure at tomorrow's hearing are E. E. Whitaker and Willis Davis of the Lucas & Jenkins circuit; Nat Williams of Thomasville; Sen. Alpha Fowler, a co-sponsor of the measure, who operate theatres in Atlanta and Douglasville; R. B. Wilby of Wilby & Kincey circuit; Roy Martin of Martin circuit; Oscar Lam of Lam Amusement Co., and others.

Among those expected to attend the hearing are district and branch managers of the major companies who are parties to the consent decree. Probably appearing will be R. L. McCoy, Warners; C. E. Kessnich and Roy Avery, M-G-M; Harry Ballance and Paul Wilson, 20th Century-Fox; Herbert Lyons, RKO, and Jack Price, Paramount. Henry Troutman and Sam Guy are the attorneys representing the film companies in the matter.

20th-Fox Cleared In Suit Over Name

A ruling that an occasional and only incidental unauthorized use of a personal name in a film does not constitute a criminal violation of the New York Civil Rights Law was handed down by Magistrate Joseph Ringel in dismissing a complaint of Harry Seaman against 20th Century-Fox and officers of the company.

The decision came after trial, in which the plaintiff claimed the name Hurtig and Seaman, former theatrical partnership, had been used in the film, "Tin Pan Alley," without first securing the consent of the complainant. Conviction for a misdemeanor had been sought.

Hays Visits F. D. R. On Defense Plans

(Continued from page 1)

projects in which the industry is active.

Industry to Seek Action from OPM

M.P.P.D.A. directors have conferred several times recently on threatened shortages of production materials due to priority ratings for war and defense requirements, *Motion Picture Herald* will say in its issue out tomorrow.

As a result of the meetings, it is said, it is certain that representations will be made to the Office of Production Management in Washington, with expectation of action calculated to recognize the importance of the maintenance of normal production.

Reopens Wisconsin House

SHEBOYGAN, Wis., March 12.—Walter E. Hoffman, formerly of South Bend, Ind., has reopened the State.

$243,482,000 1939 Gross at 517 Exchanges

(Continued from page 1)

distributor exchanges had film rentals of $210,938,000, doing over 85 per cent of the business with approximately 60 per cent of the offices, as compared with 214 independent exchanges with rentals of $32,544,000.

The average receipts of all exchanges amounted to $470,952 in 1939, compared with $413,893 in 1929, but the major company exchanges in 1939 averaged $696,000 compared with only $152,000 for the independents, and did that volume at a relatively lower cost, total expenses amounting to only 12.8 per cent as compared with 21.2 per cent for independents.

The total operating expenses of all exchanges were $33,839,000 in 1939 against $34,639,000 in 1929, but the breakdown showed that the operating expenses of the producer-distributor exchanges were $26,914,000 against $6,925,000 for the independents.

Labor costs comprised nearly two-thirds of the total expense of operation in 1939 compared with a little over 50 per cent in 1929, the bureau reporting that 11,332 employes were paid $21,195,000 in 1939 compared with 9,342 employes receiving $17, 978,000 a decade earlier.

The 1939 figures showed that the producer exchanges employed 9,639 persons who received $17,088,000 while the independent establishments employed 1,693 persons receiving $4,107,000.

New York State had the greatest number of exchanges in 1939, with 98, of which 67 were independent and 31 producer exchanges. The next highest total was in California, with 44, of which 23 were independent and 21 producer exchanges. New York sales in 1939 were $49,598,000, and in California, the same year, $26,055,000.

$25,000 Ad Cost on Opening for 'Wings'

(Continued from page 1)

will also be in charge of tickets.

In the meantime, Gillham has arranged for the fullest cooperation of the U. S. War Department and air officials in connection with the showing. According to company announcements several important U. S. military officials will attend the opening. William S. Knudsen, head of the OPM, is among those invited.

Under Gillham, a special model airplane contest has been arranged in a tieup with the *Journal-American* beginning Monday and through March 29. Paramount will take additional advertising for the contest idea in that paper. This end, it was said, was arranged by Lynn Farnol, employed for special duty by Gillham in connection with the roadshow of the film. The tieup will bring about an additional $1,500 advertising expenditure on the part of Paramount. Hitherto the *Journal-American* tieups ranged from $300 and the extra expenditure raises the tieup cost to a new high.

MARCH 21ST STARTS UNIVERSAL HELPS YOU

Brian AHERNE and Kay FRANCIS
in
The MAN WHO

SPRING—Officially!

START IT—Box-Officially!

It's the release date for a comedy-honey... that will rib-rouse the whole country... set ten million wives laughing and thinking about the gal whose husband "doubled" up on her!

LOST HIMSELF

with

HENRY STEPHENSON • S. Z. SAKALL • NILS ASTHER
SARAH PADDEN • DOROTHY TREE

Screenplay by Eddie Moran
Based on the novel by H. DeVere Stacpoole

Directed by
EDWARD LUDWIG

Produced by
LAWRENCE W. FOX, Jr.

Associate Producer, Ben Hersh

A UNIVERSAL PICTURE • NATIONAL RELEASE MARCH 21

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 14	Across the Sierras (O) *Bill Elliott* *L. Walters*	Trial of Mary Dugan (D) 125 *Robert Young*	The Kid's Last Ride (O) Range Busters	The Mad Doctor (D) *B. Rathbone* *Ellen Drew*	The Phantom Cowboy (O) 075 *Don "Red" Barry*	Play Girl (D) 121 *Kay Francis* *James Ellison*	Golden Hoofs (C) 130 *Jane Withers* *Buddy Rogers*	So Ends Our Night (D) *Fredric March* *M. Sullavan*	Meet the Chump (C) *Hugh Herbert* *Jeanne Kelly*	Great Mr. Nobody (C) *Eddie Albert* *Joan Leslie*
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) 126		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) 065 *3 Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*	Cheers for Miss Bishop (D) *Martha Scott* *William Gargan*	Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondies Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	Monster and the Girl (D) *Ellen Drew* *Rod Cameron*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*	Citizen Kane (D) 118 *Orson Welles*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) 4020 *Allan Jones*	Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) 133 *C. Grapewin* *Gene Tierney*	The Great Dictator (C) *Chas. Chaplin* *Goddard-Oakie*	Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14		The Penalty (D) *L. Barrymore* *Edward Arnold*	Flying Wild (D) *Leo Gorcey* *Bobby Jordan*	In Old Colorado (O) 4052 *Boyd-Hayden*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *John Hubbard* 132		Double Date (D) *Peggy Moran* *Rand Brooks*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*			The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) 135 *Walter Huston* *Jane Russell*	Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Sign of the Wolf (D) *Grace Bradley* *Michael Whalen*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	Washington Melodrama (D) *Frank Morgan*	At the Villa Rosa (D) *Judy Kelly* *Kenneth Kent*	Roundup (O) *Richard Dix* *Pat. Morison*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Mutiny in the Arctic (D) *Richard Arlen* *Andy Devine*	A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) *Mickey Rooney* *Spencer Tracy*	Tumbledown Ranch in Arizona (O) *Range Busters*	Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) 2-Gun Sheriff (O)	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*		Lady from Cheyenne (O) *Loretta Young*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl (M) *Stewart-Lamarr* *Turner-Garland*		Border Vigilantes (O) *William Boyd* *Russell Hayden*	Pals of the Pecos (O) *3 Mesquiteers*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*		Flame of New Orleans (D) *M. Dietrich* *Bruce Cabot*	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Under Age (D) *Nan Grey* *Alan Baxter*			Power Dive (D) *Richard Arlen* *Jean Parker*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Inspector Hornleigh Goes To It (D) *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Model Wife (D) *Joan Blondell* *Dick Powell*	The Wagons Roll at Night (D) *H. Bogart* *Sylvia Sidney*
May 2	Chain Gang (D) They Dare Not Love (D)			Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	Lady from New Orleans (D) *John Wayne* *Ona Munson*	Hurry, Charlie, Hurry (C) *Leon Errol*	Great American Broadcast (M) *Alice Faye* *Oakie-Payne*		Black Cat (D) *Basil Rathbo*[illegible] *Hugh Herbert*	

Buy LONG on PARAMOUNT SHORTS!

February 28
Paragraphic
'RED, WHITE AND BLUE HAWAII'
(Magnacolor)

February 28
Grantland Rice
Sportlight
'FISHING FEVER'

March 7
Popeye the Sailor
'OLIVE'S SWEEPSTAKE TICKET'

March 14
Animated
Antics Cartoon
'TWINKLETOES GETS THE BIRD'

100% BOX OFFICE TESTED!

Dispose of Ascap Case In Wis. Today

(*Continued from page* 1)

reversed its stand and is not likely to insist that contracts be prepared on a per program basis before starting negotiations with Ascap, it was reported yesterday. At a meeting of the N.A.B. board here next Monday and Tuesday the method of conducting negotiations will be discussed and a committee will be appoitned to start negotiations at once, it was indicaed.

Previously, Neville Miller, N.A.B. president, had said that he would require something definite in the form of a draft contract before he would renew negotiations but this attitude has apparently been abandoned.

Yesterday Fred Weber, Mutual general manager said that he might call a meeting of Mutual stockholders for March 21 to consider which method the network should adopt for the Ascap talks. Since Mutual does not originate any programs but relies instead on member stations for program material, two courses are open for the network. Either each station can conduct its own negotiations or the network can negotiate for all.

An exchange of letters among Buck, Ascap president; Alfred J. McCosker, Mutual chairman of the board, and Miller was made public yesterday. Buck wrote to McCosker asking if the N.A.B. was authorized to negotiate for Mutual and McCosker answered that N.A.B. had no authority to negotiate for Mutual and that the network would conduct its own negotiations. McCosker enclosed a copy of his letter to Buck in a letter to Miller. Yesterday, Miller wrote McCosker pointing out that the N.A.B. repeatedly had stated that it had no authority to negotiate for any broadcaster or network and that the meeting next week had been called expressly for the purpose of deciding whether or not this authority should be granted.

Buck, as president of Ascap, has voluntarily taken a salary cut of $15,000 a year, reducing his compensation to $35,000, due to the loss in Ascap's income, it was disclosed yesterday. E. C. Mills, administrative committee chairman, accepted a similar reduction. John G. Paine, general manager, agreed to a cut from $27,500 to $24,750.

Enabling Act Passed

Milwaukee, March 12.—The Wisconsin Senate today passed and sent to the lower House the Cashman bill which authorizes the Secretary of State to enforce provisions of the state law licensing Ascap and assessing 25 per cent on its receipts in this state.

Col. Signs Hayden

Hollywood, March 12. — Russell Hayden who played the role of "Lucky" in Harry Sherman's "Hopalong Cassidy" films for Paramount release has been signed to a term contract by Columbia. His first picture will be "One Way Street" in which he will play the lead. Sherman will announce Hayden's successor next week.

Hollywood Review

"Road to Zanzibar"

(*Paramount*) *Hollywood, March* 12

PARAMOUNT'S "Road to Zanzibar" is one of the funniest pictures ever made. It is a rare combination of farce and slapstick put together with the sole purpose of zaney entertainment, of making film patrons here, there and everywhere roar, laugh, chuckle, grin and give every other indication of getting their money's worth in fun.

Bing Crosby, Bob Hope and Dorothy Lamour of "The Road to Singapore," to which this is a companion piece, are starred in this film, locale of which is Africa and the story of which deals with the efforts of Crosby and Hope, Americans, to return home. The trio is supported by Una Merkel, Eric Blore, Douglas Dumbrille, Iris Adrian, Lionel Royce, Buck Woods, Leigh Whipper, Ernest Whitman, Noble Johnson, Joan Marsh, Luis Alberni and Robert Middlemass.

Victor Schertzinger, who directed "Singapore," guided "Zanzibar," which was made by Producer Paul Jones.

Every opportunity was utilized by Jones to afford the maximum of laughs, Crosby enacts the role of a smooth talking promoter who manages to wield a Svengali-like influence over Hope, who portrays a rather dull witted youth. Crosby's influence makes Hope in turn a "human cannonball," a bear wrestler, a "bat man," and a "human dynamo" as they tour Africa as a side show attraction in order to obtain enough money to return to America. Crosby buys a diamond mine which is worthless, Hope sells it to two rough characters, and they have to flee. They finance a safari under false pretenses, are captured by cannibals and have other hilarious adventures.

Crosby and Hope are in their best form throughout. Six musical numbers are used.

Running time, 90 minutes. "G"* VANCE KING

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* *Denotes general classification.*

New Blackout to Cover Puget Sound

(*Continued from page* 1)

while the evening was still "young" and which darkened the city completely for the half-hour, with plenty of advance publicity and public anticipation, played havoc with theatre attendance at the city's 50 houses the entire evening.

The communities involved include approximately 122 film houses, divided in the various communities named as follows: Seattle, 53; Tacoma, 20; Everett, four; Bellingham, five; Vancouver, 34; and Victoria, six. In addition it is believed several other smaller communities will be affected by the blackout.

Last week's test was the first to be undertaken in a city of the United States, and is believed to have been the forerunner of a series of similar experiments in cities on both coasts.

Gov't Station Urged In Report by TNEC

(*Continued from page* 1)

several hundred other organizations which he declared devote themselves to more or less extent to lobbying, Blaisdell followed the course of the Neely block booking bill in the last Congress, asserting that "the Hays organization brought powerful pressure against the bill."

"It did not reach the floor of the House in 1938, and in July, 1939, it again passed the Senate, only to be again held up in the House," he pointed out.

"The need for registration of lobbyists and adequate machinery for publicity grows out of the obscurity in which lobbies operate to affect public policy," the monograph declared.

New Judy Canova Pact

Hollywood, March 12. — Republic today extended Judy Canova's contract for three more pictures in addition to the one still due her current contract.

Mrs. Trotta in Portrait

A portrait of Mrs. Vincent Trotta, wife of the art director of Advertising Accessories, Inc., formerly with Paramount, has been selected for the Spring Exhibition of the National Academy of Design.

'Five Alarm Waltz' Will Open Tonight

"Five Alarm Waltz," a new comedy by Lucile S. Prumbs, featuring Eliza Kazan and Louise Platt, opens tonight at the Playhouse. Everett Wile produced the play, which was directed by Robert Lewis. The supporting cast includes Roman Bohnen, Helen Zelinskaya, Howard Freeman, Ann Thomas and Robert Shayne.

'Doe' Has Double Opening on B'way

(*Continued from page* 1)

six more or less special performances of last night. Sections of both houses were reserved for the opening performances for industry officials, circuit operators and other invited guests. A midnight show was added at both houses.

Similar openings were given the production last night in Los Angeles at the Hollywood and Downtown; in Miami at the Paramount, Beach and Sheridan, and at the Criterion, Oklahoma City.

Among those at the Hollywood Theatre opening here last night were: Gradwell L. Sears, Joseph Bernhard, Carl Leserman, Mort Blumenstock, Sam Schneider, Sam Morris, Leonard Schlesinger, Stewart McDonald, Harry Goldberg, Ben Kalmenson, Roy Haines, Ed Schnitzer, Neil Agnew, Jack Cohen, Abe Schneider, Joseph Hummell, Jack Schaeffer, Arthur Kelly, Joseph Hazen, Meyer Schine, Arthur Sachson, Stanton Griffis and John Benas.

LADY FROM NEW ORLEANS
A REPUBLIC PICTURE

HENRY STEPHENSON to ONA MUNSON: "Don't worry so much about my business. Those reformers are a big help . . . free advertising. Nothing makes a thing so attractive to the public as calling it a sin."

JOHN WAYNE • ONA MUNSON
RAY MIDDLETON • HENRY STEPHENSON
HELEN WESTLEY • Bernard Vorhaus · Director

Second Milwaukee Complaint Is Filed

MILWAUKEE, March 12.—The second demand for arbitration to be filed with the local board here was brought today by Lee Macklin, operator of the Grand, New London, Wis., against all five consenting companies.

The complaint charges that the Rio and Appleton in Appleton, Wis., the Grand and Times at Clintonville, and the Waupaca and Palace at Waupaca, receive unreasonable clearance over the Grand, which in some cases amounts to 30 to 50 days, according to the complaint.

Macklin asks an arbitration finding that the theatres named are entitled to no clearance over New London.

Reception Held for Appeals Board Here

A reception for the three members of the national appeals board of the industry arbitration system was given in the Rockefeller Center Lounge of the RCA Building by the American Arbitration Association yesterday, marking the formal opening of the appeals board headquarters in Radio City.

Among those present were: Van Vechten Veeder, Albert W. Putnam, George W. Alger, the appeals board members; Federal Judge Henry W. Goddard, C. V. Whitney, Joseph M. Proskauer, Martin Quigley, Sr., Professor Willard H. Atkins, Leonard Goldenson, Sam Dembow, Jr., Leon Netter, Austin C. Keough, Louis Phillips, Tyree Dillard, Joseph Hazen, Leopold Friedman, T. J. Connors, Max Cohen, Sam Shain, Martin Quigley, Jr.; Bertram Shipman, William Zimmerman, Terry Ramsaye, E. K. O'Shea, Gordon Youngman, Charles Wall, Jack Alicoate, Maurice Kann, Charles E. Lewis, J. Noble Braden, Lawrence Stessin, E. M. Saunders and Leo Brecher.

Gambling Ban Helps Grosses in Helena

HELENA, Mont., March 12.—As a result of the action of State's Attorney General John W. Bonner in banning all gambling here, grosses at the Marlow, largest theatre in the city, took a sudden upward leap in the 10-day period ending yesterday.

The expected Lenten slump was largely overcome by the edict, with the house more than doubling average. "Kitty Foyle," playing from Feb. 24 through March 4, coincidentally with the Academy Award to Ginger Rogers, the film's star, grossed $1,706.

"Gone With the Wind" followed, playing from March 5 through yesterday, with three shows daily, and grossed $2,504. Regular admission, 40 cents plus tax, was charged for both pictures. The average gross for a five-day run is about $1,000 at the Marlow, which seats 1,265. Fine weather also helped at the box-office.

Writer Bankrupt

Voluntary petition in bankruptcy has been filed in U. S. District Court by Geza Herczeg, author and script writer, listing liabilities of $71,129 and no assets. Among creditors listed are Alexander Korda, $2,000; Winfield R. Sheehan, $2,800; Frank Orsatti, $250, and Otto Preminger, $1,000.

Lewis Is Elected President of CEA

London, March 12.—Sydney K. Lewis, vice-president of the Cinematograph Exhibitors Association, has been elected president, succeeding Harry P. E. Mears. Lewis and Mears had engaged in a vigorous contest for the presidency.

Lewis, general manager of the Deeming Circuit, has been a member of the Birmingham branch of the C. E. A. for 15 years and of the general council of the national organization for eight years.

Schadler Testifies At Schenck's Trial

Dolph Schadler, tax division chief of Loew's, who had previously testified at the Government trial of Joseph M. Schenck that he had prepared all Schenck's tax returns, testified yesterday that Government investigators had approved these returns after inspecting the defendant's personal record. Schadler insisted that all Schenck's records for the years of 1935, 1936 and 1937 had been carefully examined by Government agents after each return had been prepared.

In answer to questions of Harold H. Corbin, Schenck's attorney, Schadler said that he and the co-defendant, Joseph Moskowitz, segregated deductible expenses from those that were subject to tax after examining all bills paid by the defendant. Schenck at no time took part in this work and relied on their judgment, he said. Schadler declared positively that at no time did he have occasion to suspect that there was any scheme to defraud the U. S.

Average 'A' Actor Income Is $14,867

HOLLYWOOD, March 12. — Average annual income of 300 Class A members of Screen Actors Guild is $14,867 according to a survey conducted for the Guild by Dr. Leo C. Rosten, who was granted a fellowship by the Rockefeller and Carnegie Foundations for the study. It was pointed out, however, that this high average resulted from inclusion of top salaried performers and that 6.1 per cent earned more than $2,000 weekly.

Taking the income of performers numerically at the halfway mark in their careers, the survey found that the annual income was $4,700. The survey covered earnings of 300 Class A members during the years 1937 through 1939. Of these it was found that 42 per cent earned $499 weekly or less; 36.3 per cent, $500-$999; and 14.9 per cent, $1,000-$1,999.

606 Radio Officials Over $10,000 in '39

WASHINGTON, March 12.—The FCC today listed 606 officials in the communications field who earned salaries of $10,000 or more during 1939. No names were given. Salaries listed for RCA were $100,000 for the president (David Sarnoff); chairman of the board (Maj. Gen. James G. Harbord), $60,000; vice-president and general counsel (Manton Davis), $27,500; a vice-president at $30,000, and another at $25,000.

Documentary Theatre Set

The National Documentary Theatre Co., Inc., has been formed with Harold McCracken as president, to show documentary and commercially sponsored films only, at the Belmont Theatre, under the name Documentary Theatre.

Eastman 1940 Net Profit $20,076,739

Eastman Kodak Co. yesterday reported net profit of $20,076,739 for 1940, which compares with 1939 profit of $20,818,200.

Total sales for the year amounted to $130,896,780, compared with $123,834,076 for the preceding year. The company transferred $10,000,000 to reserve for contingencies due to the [illegible]certainties of future market condit[illegible] leaving earned surplus at the end of 1940 of $38,697,282 after eliminating $8,429,405 of earned surplus of subsidiaries not included in the consolidated report.

The company reported current assets of $100,890,661, of which $30,548,050 is cash and $18,261,911 is marketable securities. Current liabilities amounted $24,368,159.

The company's investments in and advances to foreign subsidiaries amounted to $23,460,989. Of foreign operations, the report of F. W. Lovejoy, president, and W. G. Stuber, chairman, says in part: "During the past year and up to the date of this report, no war damage has been sustained by any of the manufacturing plants, nor by other foreign properties of your company with the exception of the loss of a wholesale stock depot, the major portion of which loss was covered by commodity insurance."

Senate Expected to Confirm Wakefield

WASHINGTON, March 12.—Confirmation by the Senate without any difficulty of the nomination of Ray C. Wakefield as a member of the FCC is expected here as the result of the Interstate Commerce Committee's action today ordering a favorable report.

They laugh, and love and roar so
You'd think they'd burst a torso!
For Lubitsch with his touch-ka
Has topped his own Ninotchka!
SOL LESSER presents
Ernst Lubitsch's "THAT UNCERTAIN FEELING"
Released thru UNITED ARTISTS

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Loew's Settles Its First Case In Arbitration

Four Other Firms to Be Heard in Boston Today

Having made a settlement this week with the Park Theatre, Nashua, N. H., on its "some run" arbitration complaint against the five consenting companies, Loew's, Inc., was eliminated yesterday as a respondent in the action, which is scheduled for hearing in Boston today as the first proceeding under the new industry arbitration system.

Paramount, Warners, 20th Century-Fox and RKO will be represented at the hearing by Edward F. McClennen, resident attorney at Boston. J. Noble Braden, executive secretary of the American Arbitration Association, will attend the hearing. Arthur L. Brown, Boston University law professor, is the arbitrator.

The second arbitration hearing is scheduled for tomorrow in Chicago on the complaint of

(*Continued on page* 4)

'Rio' and 'Doe' Lead In Slow B'way Week

A combination of bad weather, poor traffic conditions as the result of the uncleared snow from the severe snowstorm of last weekend, and the slight but continuing effect of the bus strike depressed Broadway grosses generally this week. Lent also had its effect.

"John Doe" opened strong at the Hollywood and Rivoli, grossing an estimated $4,500 at the two houses Wednesday night.

Another exception was "That Night in Rio," playing at the Roxy with a stage show, which is expected to gross $48,000 in its first week, ending tonight. It will be held. At the

(*Continued on page* 4)

In Today's Issue

Four reviews: "That Uncertain Feeling," "A Man Betrayed" — Page 3; "The Round Up," "Back in the Saddle"—Page 8. Hollywood production news — Page 4. N.T.S.C. to urge 375-line standard for color television —Page 10.

Ascap and Officials Are Fined $35,250 Ending Wis. Action

MILWAUKEE, March 13. — The Government's criminal information against Ascap was terminated in U. S. District court here today on the levying of fines totalling $35,250 against officers, directors, 19 corporate members and the music society itself.

The defendants entered pleas of nole contendere, and on the application of Government attorneys, Federal Judge F. Ryan Duffy levied fines totaling $16,000 against 26 officers and directors, $14,250 against 19 corporate members and $5,000 against Ascap.

NEW HAVEN, March 13. — The judiciary committees of the Legislature today heard arguments for and against three pending anti-Ascap bills. Connecticut exhibitors attended the hearings.

Proponents of the measures urge the state to enact them as valid exercise of its police powers, while opponents pointed out that similar measures have been ruled unconstitutional in three states following enactment.

MADISON, March 13.—The Wisconsin Senate today adopted by un-

(*Continued on page* 4)

It Pays to Kick

WHEN Mutual network executives saw Frank Capra's "Mr. Smith Goes to Washington" they noted that in the scene where H. V. Kaltenborn makes his broadcast only NBC and CBS microphones were visible. A polite note was sent to Capra pointing out the oversight. Yesterday, Mutual sent another letter to Capra thanking him not only for including an MBS microphone in "Meet John Doe," but also draping a small Mutual banner on it. NBC and CBS have not been heard from yet this time.

Universal Quarter Profit Is $553,795

Universal Pictures Co., Inc., yesterday reported consolidated net profit of $553,795 for the 13 weeks ended last Feb. 1, constituting the first quarter of the company's current fiscal year. This is an improvement of approximately $158,000 over the corresponding quarter last year, similarly computed.

Nate J. Blumberg, J. Cheever Cowdin, Charles D. Prutzman, Peyton Gibson and other board members will go to Wilmington, Del., tomorrow to attend the annual meeting of the company's stockholders. Among

(*Continued on page* 4)

Admiral Calls Films Vital in Maintaining Morale of Navy

Para. Party Screens Greek Relief Film

Paramount yesterday was host to home office and circuit executives, members of the Greek War Relief organization and the trade press at a cocktail party at Toots Shor's restaurant on the occasion of a screening of "Greece Fights Back."

The subject was prepared by March of Time and will be distributed by Paramount, with all proceeds to be donated to the Greek war relief fund. The company has ordered 740 prints for the widest possible simultaneous distribution throughout the country. The first release is tentatively scheduled for late next week. Eastman Kodak contributed stock for the film.

Among those attending were: Neil Agnew, Oscar Morgan, Charles Rea-

(*Continued on page* 4)

WASHINGTON, March 13.—Rear Admiral Chester W. Nimitz, Chief of the U. S. Bureau of Navigation, today testified at hearings on the Navy Appropriations bill before the House Appropriations Committee that "motion pictures have become the most important element" contributing to maintenance of naval morale.

Following Rear Admiral Nimitz' testimony, the House committee provided an increase from $85,000 to $125,000 in the fund for film rentals in the appropriation bill for the coming fiscal year.

The increase will permit the Navy's Motion Picture Service to increase the rental of films to four prints of each picture. In addition, $44,000 was provided for the purchase of projection equipment at 11 Navy stations.

The funds provided by Congress are only part of the total expense of the

(*Continued on page* 4)

Georgia House Group Rejects Block Measure

Anti 5-Block Bill Voted Down, 12 to 7

ATLANTA, March 13. — The House judiciary committee of the Georgia legislature today voted 12 to 7 against the Edenfield bill to set aside the blocks-of-five provision of the Federal consent decree. The measure was passed by the Senate unanimously a week ago.

The House committee returned the bill to the House with the recommendation that "it do not pass." Debate at the committee hearing was heated.

A minority committee report was filed, which paves the way for the measure to be brought up on the floor of the House. Observers, however, foresee no favorable action on the bill as adjournment is only a few days off.

Circuit theatre operators backing the bill entered into spirited arguments with producers' representatives at the public hearing before the committee. Among speakers for the bill were Nat Williams, circuit operator of Thomasville, and Senator Alpha Fowler, also a circuit operator. Appearing against the measure were John I. Kelly, former candidate for Governor, among others.

Williams is a former president of the Southeastern Theatre Owners Association, but is backing the bill as an individual, as are other members of the organization.

The Georgia bill is similar to the one pending in Minnesota. It reportedly "slipped" through the Senate as an administration measure, quietly, without an opportunity for the opponents to fight it at that time.

Seven Sue to Gain Admission to Union

Seven candidates for admission to New York Operators' Local 306 filed suit yesterday in N. Y. Supreme Court against the union and its officers, seeking an injunction to compel the union to admit them immediately.

The plaintiffs claim that they are either brothers or sons of members of the local, and that they made a contract in 1937 with the union under which they were to take priority for admission. Local 306 and its officers are charged with conspiring to violate the contract by admitting other applicants before them.

Personal Mention

NED E. DEPINET, RKO vice-president, is due today from the Coast.

•

Lee Newbury, president of Allied of New Jersey, plans a Florida trip in two weeks.

•

Robert Weitman, Nate Blumberg, Fredric March, Florence Eldridge, Irving Berlin and Martin Moskowitz having lunch yesterday at Lindy's (51st St.).

•

William Brandt, Anita Louise, Jack Pearl, Morris Gest, Arthur Loew, Moss Hart, Russel Crouse, Vincent Trotta, and John Buchanan lunching at Sardi's yesterday.

•

Joseph Seidelman, Monroe Greenthal, Harry Buckley, Al Margolies, Arche Mayer and Irvin Shapiro at Lindy's (next to the Rivoli) yesterday for lunch.

•

Earle Hammons, Maurice Bergman, Dave Lipton, Jeffrey Bernerd, Charles Paine and Sid Silvers having lunch yesterday at the Tavern.

•

John and Hilda Connor, who operate the Strand at Glace Bay, N. S., are the parents of a son.

Luncheon for O'Shea

E. K. O'Shea, Central division manager for M-G-M, was honored at a luncheon yesterday in Nick's Hunting Room at the Hotel Astor, prior to his departure with Mrs. O'Shea for Florida. Present were: Martin Quigley, T. J. Connors, Ed Saunders, Clayton Bond, Lowell Calvert, Sam Shain and Max A. Cohen.

Mayer Ampa Guest

Arthur Mayer, operator of the Rialto on Broadway, will be the guest of honor at the luncheon meeting of the Ampa, scheduled for next Thursday at the Hotel Edison. Victoria Cordova, RKO singer, will entertain at the luncheon.

Lindy's
INC.
RESTAURANTS
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(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
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San Francisco, California

Late News Flashes from the Coast

Hollywood, March 13

GEORGE BROWN, International president of the I.A.T.S.E., today received a new appeal from Technicians Local 695 for assistance in negotiating a studio contract calling for wage increases and partial jurisdiction held by the International Brotherhood of Electrical Workers. The appeal, made in a telegram, read in part: "We have waited a long time for your assistance in negotiating an agreement between the local and the major producers. . . . Your immediate assistance is requested as it will have a direct bearing on our attitude toward exemption or non-exemption in our hearing before the Wage-Hour administrator on March 25."

• •

Stuart Walker, 53, director and producer, died today of a heart attack at his Beverly Hills home. He was associate producer for Paramount from 1938 until last Fall. He started in film production as a writer for Columbia after a long career as an actor, playwright and producer. He was an associate of David Belasco in his early days in the theatre. Surviving is a son, Arthur H. Walker.

• •

William LeBaron's first production at 20th Century-Fox will be "Caribbean Cruise," in Technicolor, starring Carmen Miranda and Betty Grable.

• •

Ann Sheridan, suspended for several months in a salary dispute with Warners, will return to the studio tomorrow. Warners said she is returning under the terms of her present contract, the dispute having been settled by Jack Warner, vice-president in charge of production, and Myron Selznick, her agent. Her first assignment will be "Navy Blues."

• •

Max Gordon, Broadway producer, reported today at the Columbia studio to begin work as a producer.

Warners to Show 'Wolf' on Steamer

Warner Bros. yesterday announced it would hold a "world premiere" of "The Sea Wolf," aboard the *S. S. America* during the steamer's scheduled journey from Los Angeles to San Francisco next Friday. The ship is now en route to San Francisco from New York and will arrive in Los Angeles Thursday. Edward G. Robinson, John Garfield and Ida Lupino will be among the ship's guests on the coastal trip. The regular premiere will follow in San Francisco. The ship's screening was by special arrangement with the United States Lines.

Smith on Drive Tour

Cresson E. Smith, Western division sales manager for RKO, will join the Ned Depinet Drive tour at St. Louis on Monday. He will continue with the drive leaders through the Western territory to Los Angeles.

Goodman in S. A.

Morris Goodman, Republic vice-president in charge of foreign sales, is in Mexico City, on the first leg of an annual trip to Republic's Latin American branches. He will be gone about four months.

Reels Weigh Use Of Extra Footage

Newsreel officials are giving consideration to the possibility of using surplus footage on news clips for separate reels to be shown in special localities, or as major distributors' short subjects or featurettes.

There are differing opinions among the newsreel executives as to the practicability of the plan to make use of newsreel "overmatter." It was pointed out that certain of the reels used extra footage on last Fall's football games with considerable success in some localities, notably New England.

Canadian Exhibitor Dies

Halifax, N. S., March 13.—R. J. Macadam, proprietor of the local Casino and its manager until three years ago, is dead here. He began his affiliation with theatres 30 years ago at Sydney, N. S., as manager of a silent picture house there.

Stapleton Rites Held

Ottawa, March 13.—Funeral services for Ben Stapleton, founder of the Center Theatre, were held yesterday. Burial was in Beechwood Cemetery.

25 Years in Same House

Pittsburgh, March 13

TWENTY-FIVE years ago Joe Miller wound the first film at the opening of the Plaza Theatre in the Bloomfield neighborhood. Last week he observed his 25th anniversary in the same house, estimating that he has projected 420,095,700 feet of celluloid on the job. Recalling the days when "projection booths were just a few slabs of asbestos pieced together, about nine feet high and six feet wide," Miller also remembered that "we never paid much attention to schedules then as we do now. We were mainly interested in finishing the last show on time—at 11 P.M. If we were running behind, we just speeded up the machine. Many's the time I've had the characters running and jumping, all a-scramble on the screen so we wouldn't go past quitting time.

"Then again, if the show was going too fast, we'd slow up the film. Then the characters just loafed about." In 1916, Miller quit a shovel job to become an assistant operator at $1 a day.

Newsreel Parade

WAR defense and sports made up the greater part of the new issues with unanimous attention given to Roosevelt's signing of the history-making Lend-Lease bill. The contents:

MOVIETONE NEWS, No. 54—Roosevelt signs British-aid bill. Greeks push on in Albania. French war heroes deco[illegible] King George welcomes Winant in [illegible]land. London firemen at work. Maryland plane factory speeds production. American troops in Newfoundland. Flower festival in Florida. Baseball players in training. Fishing in Washington. New York boys in boxing bouts.

NEWS OF THE DAY, No. 252—Greeks advance in Albania. Queen Elizabeth holds wartime court. Winant arrives in England. Roosevelt signs Lend-Lease bill. Navy gives gas defense instructions. Troops in Newfoundland. Golf match in Florida. Boys' Club holds bouts.

PARAMOUNT NEWS, No. 57—Roosevelt signs aid-to-Britain bill. Winant meets King George. Bombers in Maryland for England. Army equipment set for shipment to England. New York boys in boxing bouts. Groundbreaking in Bermuda for U. S. base. Troops arrive in Newfoundland. U. S. bases on the Caribbean. Battle of Eritrea.

RKO PATHE NEWS, No. 57—British march into Eritrea. British student officers in training. King George greets Winant. Roosevelt signs Lend-Lease bill. Maryland airplane plant expanded. Troops land in Newfoundland. Services in Athens for General Metaxas. Gas mask drills in California and Washington. Exhibition of surrealist art in Virginia. Miniature auto race in Los Angeles.

UNIVERSAL NEWSREEL, No. 962—Roosevelt signs war-aid bill. Government appeals for labor's aid. British victory in North Africa. King George welcomes Winant. Gas maneuvers in Washington and California. Troops in Newfoundland. Maryland plane factory steps up production. New York youngsters in boxing bouts. Ski jumps in New Hampshire.

Grainger Plans No Changes in Midwest

Chicago, March 13.—No changes in personnel in any of the Midwest exchanges are contemplated at the present time, James R. Grainger, Republic president, announced here today.

Grainger is in Chicago conferring on the new Republic product. This is his first visit since Republic purchased the Illinois, Indiana and Wisconsin franchise from Irving H. Mandel.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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British in Plea on Reserve Listings

LONDON, March 13.—The industry today made an urgent plea to the Ministry of Labor to retain the status quo on the reserved occupations listing, with respect to film technicians, declaring that the changes now proposed to be effective April 1, will mean the virtual extinction of the industry.

The case for the industry in its attempt to prevent a dangerous shortage of technical labor was presented to the Government this morning by the producers and this afternoon by exhibitors and labor.

Meanwhile, the general council of the Cinematograph Exhibitors Association reported that the Kinematograph Renters Society (distributors) is unwilling to institute a sliding scale of rentals for the relief of exhibitors in bombed areas, but will ask individual distributors to treat separate cases fining bombed areas. The report of with consideration. The K.R.S. disputes the possibility of arbitrarily dethe C.E.A. council confirms the recent forecast of MOTION PICTURE DAILY on the situation.

Ask Court Approval For Fox Accounting

Kenneth P. Steinreich and Leopold Porrino as trustees of Fox Theatres Corp. filed notice of application yesterday in N. Y. Supreme Court for approval of an accounting of Fox Theatres for the year ending Dec. 31, 1940. The report reveals $87,187 available last Dec. 31 for distribution to certificate holders and for payment of taxes and allowances to trustees and attorneys.

The application, which will be heard by Justice Edward B. McLaughlin on March 31, asks in addition for approval of a plan of operation for 1941 and for authorization to sell certain land located in the Bronx held by the trustees. Fees and allowances are sought for services rendered in 1940.

A sum of $80,000, the report states, is being held as a reserve for the possible distribution to William Fox on his claim, estimated at $8,000,000. Fox's claim is subject to litigation, and the trustees have interposed a cross-claim against him.

Carolina MPTO in Membership Drive

CHARLOTTE, N. C., March 13.—The Theatre Owners of North and South Carolina plan a membership drive, centering chiefly in South Carolina. Charles Arrington, president, and Mrs. Pauline Griffith, secretary, have completed a tour of North Carolina, during which they signed a number of theatres to membership.

Hardy Tax Affirmed

WASHINGTON, March 13. — The Board of Tax Appeals today affirmed deficiency taxes of $75,755 against Oliver Hardy for the years 1934 to 1937, inclusive, holding a property settlement between the actor and his wife in 1933 was in full force even though they had become reconciled.

Feature Reviews

"That Uncertain Feeling"

(Lubitsch-Lesser-United Artists)

BEGINNING with little more in the way of a story idea than a young wife in the throes of boredom, Ernst Lubitsch ends by delivering a sophisticated comedy drama of married life which sparkles frequently, sometimes merely glimmers, but always is rich in production values.

Since Lubitsch has chosen to diagnose the young wife's boredom as due almost exclusively to an insufficiency of provision for her physical appetite, the resulting production, also, is suited almost exclusively to mature audiences. This, perhaps, would be less the case if the producer-director had been as subtle in all sequences as he is in the final one when he causes the young husband to open the door of his wife's bedroom and place the photograph of the erstwhile amorous intruder on the floor outside, signalizing that all is well again within. But such is not the case. The Lubitsch "touch," on occasion, here becomes a sock in the jaw, as in the blunt insinuations of the doctor's consultation with the young wife, which leave no doubt that he and Lubitsch are in diagnostic agreement.

Merle Oberon, as the young wife, is well prepared for an extra-marital adventure by that consulation. In fact, as though he were a prescription supplied on order, she encounters the means for that adventure in the doctor's waiting room in the person of Burgess Meredith, as a pianist of the "arty" genre.

From there on, her boredom as the wife of Melvyn Douglas, a successful insurance man too engrossed in his work, progresses to the divorce stage, then retraces its steps to the reconciliation when she comes to realize that an artist, as well as an insurance salesman, can be too wrapped up in his occupation to make of a woman's life an endless courtship.

Miss Oberon's performance is almost flawless. Her transition from the dissatisfied woman bent upon divorce to the reawakened wife again in love with her husband is one of expertness and appeal. Douglas has difficulty overcoming his unsympathetic original characterization of the indifferent husband, but once launched upon his campaign to re-win his wife, he is again on solid ground, and ends both the picture and the role as its master. Meredith is an amusing, irresponsible artist-adventurer, not too likable, as the script directs, but believable.

In the lesser roles, Harry Davenport as the family lawyer; Alan Mowbray as the doctor; Sig Rumann as an insurance client, and Olive Blakeney as a friend, stand out. The story runs from the risque to the warmly comic.

Full use should be made of the cast and producer's names in selling the picture as sophisticated entertainment for adults. The title's own implications are not likely to be misread.

Running time, 85 minutes. "A."* SHERWIN A. KANE

**"A" denotes adult classification.*

"A Man Betrayed"

(Republic)

Hollywood, March 13

ONE of the better of the consistently improved pictures of Republic, "A Man Betrayed" is a powerful story of graft and corruption in high places of a city's government. The tale deals with the endeavors of a small town attorney, played by John Wayne, in determining the real cause of the death of a friend, with the subsequent exposure of the crooked elections and politics and the eventual overthrow of the town's "boss."

Supporting Wayne are Frances Dee and Edward Ellis, in featured roles; Wallace Ford, Ward Bond, Harold Huber, Alexander Granach, Barnett Parker, Ed Stanley, Tim Ryan, Harry Hayden, Russell Hicks, Pierre Watkin and Ferris Taylor.

At first called "Gangs of Kansas City" and later "Citadel of Crime," the film is amenable to exploitation and advertising campaigns, keynotes of which play up the exposures of graft.

The film, directed by John H. Auer, while not edited as carefully in its preview version as it might have been, merits special attention, being able to hold its own with others of much higher budgets. Armand Schaefer was the associate producer.

Running time, 80 minutes. "G."* VANCE KING

**"G" denotes general classification.*

TNEC Issues Its Report on Screen

Washington, March 13.—The Temporary National Economic Committee today formally issued its monograph on motion pictures, prepared by Daniel Bertrand, W. Duane Evans and E. L. Blanchard. *Motion Picture Daily* published a full report on the monograph in the issue of March 7.

The report was released without comment by the TNEC, other than a foreword that its publication "in no way signifies nor implies assent to, or approval of, any of the facts, opinion or recommendations." The same disclaimer has been made in all of the 29 industrial monographs submitted.

Jay Paley Witness In Schenck Trial

Joseph M. Schenck conferred with almost all 20th Century-Fox Film officers on a number of trips in his yacht, *Caroline,* Jay Paley testified yesterday in the Government suit against Schenck and Joseph H. Moskowitz in Federal court here. Paley said Schenck used the yacht for a goodwill tour, and that important film executives such as Samuel Goldwyn, Darryl F. Zanuck, William Goetz and Louis B. Mayer visited him on the yacht during the trip. Important exhibitors also visited Schenck aboard the yacht, Paley said. This testimony was corroborated by Louis Wertheimer.

Harry C. Wilson, another witness, declared that Schenck had held many business conferences aboard the yacht with producers and film executives. The witness, who had been Schenck's yacht broker, stated that Schenck purchased his first yacht, *The Invader,* for $96,000 and later sold it for $35,000.

Ruth Nolader, Schenck's former secretary, will be the first witness called today.

Cincinnati's Games Feb. Gross $206,505

CINCINNATI, March 13.—There was a total attendance of 279,358 at 259 city-licensed chance game parties here in February, at which gross was $206,505.68, prizes, $49,803.80, leaving net of $156,701.88 to sponsoring organizations, it was disclosed in a report of Police Chief Eugene T. Weatherly to City Manager C. O. Sherrill, who issues the playing permits. Average net cost per player was 55.1 cents. The January figures were 249 parties with attendance of 301,942; gross, $216,161.80; prizes, $52,474.74, and net, $163,687.06. January net cost per player was 54.2 cents.

K.C. Club Party April 11

KANSAS CITY, March 13.—Leon Allen, chairman of the entertainment committee of the local Variety Club, has announced that "Days of '49," annual Variety event open to the public, will be held in the clubrooms April 11 and 12.

Loew's Settles Its First Case In Arbitration

(*Continued from page* 1)

E. F. Vanderveer of Morris, Ill., on a "some run" complaint against Loew's. Charles Zane Henkle, vice-president of the Continental Illinois National Bank & Trust Co., is arbitrator.

The third hearing is scheduled for Washington, March 25, on the clearance complaint of the Walbrook, Baltimore, against 20th Century-Fox and Warners, and the fourth has been set for March 26 in Cleveland on the clearance complaint of the Ellet Theatre, Akron, against all five consenting companies and the Rialto and Norka, Akron. Daniel B. Cull, former Cleveland municipal court judge, civil service commissioner and Chamber of Commerce arbitrator there, has been selected as arbitrator for the Ellet complaint.

The first arbitration case filed with the St. Louis local board this week may not be eligible for a hearing since it requests "first runs" of the five consenting companies and Universal, Columbia, United Artists and Republic.

Demands for "first runs" are not qualified for arbitration under the consent decree until new season's contracts are in negotiation. However, the A.A.A. headquarters said that if the case does go to hearing the four non-consenting companies named in the complaint would be advised of the complaint and could participate in it voluntarily if they wished.

The St. Louis complaint was brought by Louis M. Sosna, Mexico, Mo., who claims that he had been promised first runs before opening his theatre last June but was unable to obtain them. He names the Liberty and Rex, operated by the Frisina Circuit, and asks 208 first run films annually.

'Rio' and 'Doe' Lead In Slow B'way Week

(*Continued from page* 1)

Strand, "Strawberry Blonde," with a stage show headed by Raymond Scott and his orchestra, completed its third and final week last night with an estimated $19,000. The new show starts today, with "Footsteps in the Dark" on the screen and Ben Bernie and his orchestra on the stage.

"So Ends Our Night," plus a stage show, finished its second week Wednesday night at the Music Hall with an estimated $58,000. It was succeeded yesterday by "Cheers for Miss Bishop." At the Globe, "Night Train," continuing, is expected to finish its 10th week tonight with about $4,000. The 11th week starts tomorrow. "Mr. Dynamite" started at the Rialto yesterday, after an estimated $5,000 week with "Ellery Queen's Penthouse Mystery."

Sells House in Oakland

OAKLAND, Cal., March 13.—Ty Winkel has sold the Piedmont Theatre to Gerald Hardy,

Nine New Story Properties Set for Early Production

Hollywood, March 13

NINE story properties were purchased last week by various studios for early production. Columbia purchased "Take Back Your Dreams," LYNN ROOT-FRANK FENTON original; "Navy Nurse," by Hilary Lynn, to be made under the title of "Women of the Navy"; "Just Another Dame," by ROBERT HYDE, and "The Man Who Came to Life," by SAMUEL W. TAYLOR.

Sam Marx's original "Side Streets," dealing with a tabloid newspaper editor, and "The Strange Adventure," original with a San Francisco, Honolulu and China background by CLYDE BRION DAVIS, have been bought by M-G-M.

Republic acquired "Hurricane Smith," by CHARLES BOOTH, and "Pardon My Stripes," by ADRIAN JOHNSON.

Twentieth Century-Fox bought "Private Confusion," play by HARDIE ALBRIGHT and AUSTIN PARKER, which was produced in England.

• •

George Bruce has been signed by Paramount to write the script for "War Town" with Sidney Biddell. . . . Stephen Longstreet, author of "The Gay Sisters," has been signed to a term contract by Warners. . . . Columbia has given Richard Wallace, the director, a term deal.

• •

M-G-M has signed ANITA LOOS to a term writing contract. . . . Because of his performance in "I Wanted Wings," WILLIAM HOLDEN has had his contract extended by Paramount. . . . MARTHA O'DRISCOLL gets one of the top roles in Paramount's "World Premiere." . . . ROBERT PRESTON has been borrowed by RKO from Paramount for "Parachute Battalions," in which HARRY CAREY also will be featured. . . . LORETTA YOUNG will be starred in "Tonight Belongs to Us," formerly titled "Ballerina," which GREGORY RATOFF will direct for Columbia. . . . Warners will costar ERROL FLYNN and JOAN LESLIE in "The Constant Nymph," which EDMUND GOULDING will direct.

• •

CHARLES VIDOR's directorial contract at Columbia has been extended. . . . LARRY DARMOUR's next Ellery Queen story will be "The Devil Pays." . . March 17 has been set as the start for the Marx Brothers next picture at M-G-M. CHARLES REISNER will direct and LOUIS K. SIDNEY produce. . . . RALPH BELLAMY goes into Warners' "Dive Bomber."

Ascap and Officials Fined $35,250 in Wis.

(*Continued from page* 1)

animous vote a measure authorizing the state to license Ascap agents in Wisconsin. Although the state's anti-Ascap law was enacted in 1937, it made no provision for the enforcement of specifications that Ascap representatives be required to pay a $25 annual license fee and assessing a 25 per cent tax on their collections in the state.

Senator John E. Cashman, author of the enabling bill, said that if the measure became law it would yield the state $100,000 annually. The bill now goes to the Assembly where its passage is believed certain.

Universal Quarter Profit Is $553,795

(*Continued from page* 1)

other business, the stockholders will vote on proposed seven-year contracts for Cowdin, Blumberg, Prutzman, Cliff Work, W. A. Scully, J. H. Seidelman and Matthew J. Fox.

The reported 13-week profit is after all charges and provision of $150,000 as a reserve to cover normal Federal income taxes for the period, but before provision for the Federal excess profits tax, to be computed at the year's end. Making reasonable allowance for this tax, the result still is estimated to be in excess of $500,000 for the period, as estimated in MOTION PICTURE DAILY on March 6.

Universal's net profit for the quarter before provision for Federal taxes amounted to $703,795, which compares with a profit similarly computed but after provision of $65,000 as a special amortization reserve, of $395,631 in the corresponding quarter a year ago.

Based on company experience to date this year, J. Cheever Cowdin, Universal board chairman, said that no reserve for amortization is deemed necessary at this time.

Cowdin said that Universal did not accumulate any additional blocked sterling balances in England during the quarter, not yet having transferred its full quota under this year's remittance agreement. Additional accumulations of blocked sterling are to be expected before the year's end, however, he said.

All present directors, including Peyton Gibson, who was elected to the board recently to serve the unexpired term of William Freiday, resigned, are scheduled to be reelected at the stockholders' meeting tomorrow.

The stockholders will also vote on an amendment to the company's bylaws to indemnify officers and directors on judgments resulting from legitimate exercise of their official authority.

Para. Party Screens Greek Relief Film

(*Continued from page* 1)

gan, C. J. Scollard, A. J. Richard, Martin Quigley, Louis de Rochemont, W. F. Githens, L. E. Thompson, Gradwell Sears, George Skouras, Mort Blumenstock, Sam Shain, Herman Robbins, Leonard Goldenson, Al Wilkie, Sam Dembow, Jr., George Dembow, Max Cohen, Walter Futter, Arthur Mayer, P. S. Harrison, Cresson Smith, Milt Kusell, Fred Meyers, Gordon Youngman, J. J. O'Connor, William Zimmerman, Maurice Kann, John C. Flinn, Nicholas Lely, Greek consul general at New York, Herb Berg, Sid Rechetnick, James Cron, Sherwin A. Kane, Charles E. Lewis and Herb Fecke.

'Comrade X' Hits $17,000, Best in Loop

CHICAGO, March 13. — "Comrade X," plus a variety show, drew $17,000 at the Oriental. The International Casino Revue on the stage with "Night Train" on the screen br[illegible] $17,000 to the State-Lake. "[illegible], Dark and Handsome" and Bert Wheeler and Vanities Unit on the stage grossed $36,000 at the Chicago.

Estimated takings for the week ending March 7:

"Fantasia" (Disney)
APOLLO—(1,400) (75c-$1.10-$1.65) 7 days, 2nd week. Gross: $16,000. (Average, $6,500)

"Tall, Dark and Handsome" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Bert Wheeler and Vanities Unit. Gross: $36,000. (Average, $32,000)

"Western Union" (20th-Fox)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,000. (Average, $5,000)

"Comrade X" (M-G-M)
ORIENTAL—(3,2000) (25c-40c) 7 days. Stage: Variety Show. Gross: $17,000. (Average, $13,000)

"Back Street" (Univ.)
"Six Lessons from Madame LaZonga" (Univ.)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Gross: $14,000. (Average, $13,000)

"Gone With the Wind" (M-G-M)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $15,000. (Average, $11,000)

"Night Train" (20th-Fox)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: International Casino Revue. Gross: $17,000. (Average, $15,000)

"Come Live with Me" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $11,000. (Average, $14,000)

'George' Is Best in Montreal at $4,300

MONTREAL, March 13.—Montreal receipts continue slow, "Let George Do It" and "The Lone Wolf Keeps a Date" at the Capitol took $4,300, the only house to do better than average.

Estimated takings for the week ending March 6:

"Kit Carson" (U. A.)
"Where Did You Get That Girl" (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days, 2nd week. Gross: $2,700. (Average, $4,000)

"The Philadelphia Story" (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 3rd week. Gross: $5,000. (Average, $7,000)

"So You Won't Talk" (Col.)
"Ellery Queen, Detective" (Col.)
PRINCESS—2,200) (25c-40c-50c) 7 days. Gross: $1,800. (Average, $2,500)

"Come Live With Me" (M-G-M)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $4,600. (Average, $7,000)

"Let George Do It" (Alliance)
"The Lone Wolf Keeps a Date" (Col.)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $4,300. (Average, $4,000)

Admiral Calls Films Vital to U. S. Navy

(*Continued from page* 1)

Motion Picture Service, for which approximately $250,000 will be contributed from the profits of ships' stores, part of which will be used for new equipment permitting the showing of films below decks when ships are operating under wartime blackout.

The House committee hearings disclosed that with the increase to four prints per picture it will be possible to keep the equivalent of 2.47 programs in stock at all stations and in all ships, thus avoiding the cancellation of shows in the event of delay in deliveries.

from the HOTTEST TOWN in America...

comes the HOTTEST BAND in America!

TOMMY DORSEY

AND HIS ORCHESTRA

...in the HOTTEST PICTURE of the year...

Paramount's

"LAS VEGAS NIGHTS"

HEAR TOMMY DORSEY and his great Orchestra sing and play these famous Dorsey arrangements: "SONG OF INDIA" • "I'LL NEVER SMILE AGAIN" • "ON MIAMI SHORES" "SHADOW WALTZ" • "THE TROMBONE MAN IS THE BEST MAN IN THE BAND"

Hear these brand new hits: "DOLORES" "MARY, MARY, QUITE CONTRARY" "MOMENTS LIKE THIS" • "I GOTTA RIDE"

TOMMY DORSEY AND HIS ORCHESTRA • BERT WHEELER

Constance Moore • Phil Regan • Betty Brewer • Lillian Cornell • Virginia Dale • Red Donahue and His Mule "Uno"

Directed by Ralph Murphy • Original Screen Play by Ernest Pagano and

'Henry' and Show $18,500, Philadelphia

PHILADELPHIA, March 13.—Competition from snow-storms on weekend days and the "Ice Follies of 1941" doing capacity business at the Arena proved too much for the downtown houses. The best business was done at the Earle, Lou Holtz's Hollywood revue aiding "Life with Henry" to bring in $18,500. Of the holdovers, "Fantasia" brought $12,300 at the Aldine for its third week.

Estimated takings for the week ending March 5-7:

"Fantasia" (Disney)
ALDINE—(1,400) (86c-$1.14-$1.71) 7 days, 3rd week. Gross: $12,300. (Average, $9,000)
"Victory" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $2,000. (Average, $2,600)
"Come Live With Me" (M-G-M)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $13,500. (Average, $13,000)
"Life With Henry" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville, with Lou Holtz's Hollywood revue with Wendy Barrie, Lola Lane, Arline Judge, Diana Del Rio, Ruth Daye and Jack Sidney. Gross: $18,500. (Average, $14,000)
"The Lone Wolf Keeps a Date" (Col.)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville, including Paula Lind, Roxanne, Freddie Stritt with Valla Kay, Jimmy & Mildred Mulcay, Eddie Shayne & Charlotte Armstrong, and Harry Reso. Gross: $5,800. (Average, $6,900)
"Western Union" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $13,000)
"Philadelphia Story" (RKO)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run, 3rd week. Gross: $5,900. (Average, $3,000)
"Cheers for Miss Bishop" (U. A.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,500. (Average, $4,500)
"Virginia" (Para.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $14,000)
"Flight from Destiny" (W. B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $3,000. (Average, $4,500)

'Mr. Smith' Scores $12,000 in Toronto

TORONTO, March 13.—"Mr. and Mrs. Smith" captured honors at the Uptown with a gross of $12,000. "The Philadelphia Story" scored $10,800 in its second week at Loew's. The weather was fair but the Skating Club Carnival cut into theatre patronage.

Estimated takings for the week ending March 8:

"Western Union" (20th Fox)
IMPERIAL — (3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $10,200. (Average, $9,000)
"The Philadelphia Story" (M-G-M)
LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $10,800. (Average, $9,000)
"Trail of the Vigilantes" (Univ.)
"Where Did You Get That Girl?" (Univ.)
SHEA'S—(2,663) (15c-35c-40c-50c) 6 days. Gross: $7,000. (Average, $7,500)
"The Letter" (W. B.)
"Father's Son" (W. B.)
TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $4.300. (Average, $3,900)
"Mr. and Mrs. Smith" (RKO)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $12,000. (Average, $9,000)

Add to Maine Circuit

ST. JOHN, N. B., March 13.—Bernstein & Lieberman, with headquarters here, have acquired the Savoy, Fort Kent, Me., as the 11th house in their circuit. The Savoy seats 400. Fort Kent is opposite Clair, N. B., on the St. John River, the two border towns being connected by a bridge.

'Hardy' Providence Lead, Pulls $12,500

PROVIDENCE, March 13. — "Andy Hardy's Private Secretary" and "The Wild Man of Borneo," dualed at Loew's State, took $12,500, and "Buck Privates," in its third week at the RKO Albee, was good for $6,500.

Estimated takings for the week ending March 5-6:

"Buck Privates" (Univ.)
"The Invisible Woman" (Univ.)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 3rd week. Gross: $6,500. (Average, $6,000)
"Andy Hardy's Private Secretary" (M-G-M)
"The Wild Man of Borneo" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $12,500. (Average, $11,000)
"Nice Girl?" (Univ.)
"Murder Among Friends" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,400. (Average, $7,000)
"Virginia" (Para.)
"Girls Under 21" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $6,500. (Average, $6,000)
"Secret Evidence" (P. R. C.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Bab Chester and orchestra; Henry Armetta; Joe and Jane McKenna; the Three Wiles; Dorn Bros. and Mary. Gross: $5,600. (Average, $4.700)
"Robin Hood of the Pecos" (Rep.)
FAY'S — (1,800) (33c-39c-44c) 7 days. Stage show with Singer's Midgets. Gross: $4,700. (Average, $5,000)
"Strawberry Blonde" (W. B.)
"Father's Son" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 6 days, 2nd week. Gross: $3,200. (Average, $3,500)
"Victory" (Para.) (3 days)
"Land of Liberty" (M-G-M) (3 days)
"Flight Command" (M-G-M) (4 days)
"Dancing on a Dime" (Para.) (4 days)
EMPIRE — (1.200) (20c-28c) 2nd run. Gross: $1.500. (Average, $1,700)

'Smith' Capital Hit, Garners $14,000

WASHINGTON, March 13. — "Mr. and Mrs. Smith" turned in $14,000 at RKO Keith's. "Come Live With Me," aided by a stage show headed by Jay C. Flippen, drew $21,000 at Loew's Capitol.

Estimated takings for the week ending March 5-6:

"High Sierra" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-44c-66c-77c) 7 days. On stage: Cass Daley, Harris, Claire & Shannon, Adriana & Charly, Roxyettes. Gross: $14,200. (Average, $15,000)
"Mr. and Mrs. Smith" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $14,000. (Average, $7,500)
"Come Live With Me" (M-GM)
LOEW'S CAPITOL—(3,434) (28c-39c-44c 66c-77c) 7 days. On stage: Jay C. Flippen, Bob Neller, Billy Branch & Co., Gil & Bernie Mason, Rhythm Rockets, Marjorie Gainsworth. Gross: $21,000. (Average, $15,500)
"This Thing Called Love" (Col.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $5,700. (Average, $4,500)
"The Son of Monte Cristo" (U. A.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $3,200. (Average, $4,000)
"So Ends Our Night" (U. A.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $10,500. (Average, $15,000)

Film Men in Service

NEW HAVEN, March 13.—Several additional film men in this area are in the Army. John Perakos, son of Peter Perakos, Connecticut exhibitor, has joined the Marines. John was managing the Strand, Thompsonville, after his brother, Speri, left for service. Edward Canelli, Warner exchange assistant shipper here, leaves Friday for camp, as well as Sidney Lax, Columbia shipper. William Nutile, former Paramount shipper, who left several weeks ago, has been replaced by Harold Garceau.

1,000,000 Youngsters Attend 'Kiddie' Show

Pittsburgh, March 13. — More than 4,500 boys and girls attended "the world's largest kiddie show" at the Enright Theatre recently, celebrating its seventh anniversary. Approximately 1,000,000 youngsters have attended the bills since they were inaugurated, according to Walt Framer, master of ceremonies. Featuring organist Johnny Mitchell and youthful amateur entertainers chosen from cutomer-applicants, the program is broadcast every Saturday morning over WWSW.

'Virginia' at $9,800 Strong in Denver

DENVER, March 13.—"Virginia" took $9,800 at the Denham. "Nice Girl?" at the Fox Denver took $10,900 on a single bill backed with a musical stage show, while "Come Live With Me" on a dual at the RKO Orpheum drew $10,000.

Estimated takings for the week ending March 4:

"Western Union" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,000)
"Gone With the Wind" (M-G-M)
BROADWAY—(1,040) (40c-50c) 7 days, 3rd week. Gross: $1,900. (Average, $1,775)
"Virginia" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $9,800. (Average, $6,400)
"Nice Girl?" (Univ.)
DENVER—(2,600) (25c-35c-40c) 7 days. With Lamont Melodeers on stage. Gross: $10,900. (Average, $8,700)
"Come Live With Me" (M-G-M)
"Play Girl" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $10,000. (Average, $8,700)
"Maisie Was a Lady" (M-G-M)
"Wild Man of Borneo" (M-G-M)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,000. (Average, $3,800)
"Back Street" (Univ.)
"You're Out of Luck" (Mono.)
RIALTO—(900) 25c-40c) 7 days, 3rd week. Gross: $2,500. (Average, $2,100)

'Dugan' and Show $11,700 for Buffalo

BUFFALO, March 13.—"The Trial of Mary Dugan" with "Streets of Paris," first stage show at the house in years, drew $11,700 to the Hippodrome. "Adam Had Four Sons" and "Ellery Queen, Master Detective" took $10,000 at the Lafayette.

Estimated takings for the week ending March 8:

"Western Union" (20th-Fox)
"The Girl in the News" (20th-Fox)
BUFFALO—(3,489) (30c-55c) 7 days. Gross: $9,000. (Average, $12,000)
"High Sierra" (W. B.)
"Blonde Inspiration" (M-G-M)
GREAT LAKES—(3,000) (40c-55c) 7 days. Gross: $8,500. (Average, $7,500)
"The Trial of Mary Dugan" (M-G-M)
HIPPODROME—(2,100) (30c-35c-55c) 7 days. "Streets of Paris," revue, on stage, with Sid Marion and Cliff Hall, Frank and Jean Hubert, Petch and Deauville, Ernesto and Talia, Three Little Maids, Anne Crosby, Peggy Alexander, Don Richards and L'Adorable Parisiennes. Gross: $11,700. (Average, $6,800)
"Bowery Boy" (Rep.) (3 days)
"Convoy" (RKO) (4 days)
"She Couldn't Say No" (W. B.) (4 days)
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. Count Basie and orchestra on stage three days, with Pegleg Bates, Son and Sonny, James Rushing and Helen Humes. Cross: $8,700. (Average, $7,500)
"Adam Had Four Sons" (Col.)
"Ellery Queen, Master Detective" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $10,000. (Average, $6,300)

'Hardy' Gets $29,500 at 2 L.A. Theatres

LOS ANGELES, March 13.—"Andy Hardy's Private Secretary" and "Dr. Kildare's Crisis" garnered a total of $29,500 at two houses, with $13,000 at the Chinese and $16,500 at Loew's State.

Estimated takings for the week ending March 5:

"Andy Hardy's Private Secretary" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days Gross: $13,000. (Average, $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 5th week. Gross: $12,800. (Average, $17,000)
"Gone With the Wind" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $6,200. (Average, $3,250)
"Mr. and Mrs. Smith" (RKO) (3rd week, 2 days)
"Let's Make Music" (RKO) (2d week, 2 days)
"Back Street" (Univ.) (5 days)
"Blondie Goes Latin" (Col.) (5 days)
HILLSTREET — (2,700) (33c-44c-55c-75c) Gross: $10,500. (Average, $6,500)
"Andy Hardy's Private Secretary" (M-G-M)
"Dr. Kildare's Crisis" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $16,500. (Average, $14,000)
"Mr. and Mrs. Smith" (RKO) (3rd week, 2 days)
"Let's Made Music" (RKO) (2d week, 2 days)
"Back Street" (Univ.) (5 days)
"Blondie Goes Latin" (Col.) (5 days)
PANTAGES — (3,000) (33c-44c-55c-75c) Gross: $11,000. (Average, $7,000)
"Buck Privates" (Univ.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Night Life of Los Angeles. Gross: $17,000. (Average, $18,000)
"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (44c-55c) 7 days, 2nd week. Gross: $14,000.
"Footsteps in the Dark" (W.B.)
"Here Comes Happiness" (W.B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days. "Happiness" matinees only. Gross: $11,000. (Average, $14,000)
"Footsteps in the Dark" (W.B.)
"Here Comes Happiness" (W.B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. "Happiness" matinees only. Gross: $10,900. (Average, $12,000)

'Blonde' Leader in Cleveland, $13,900

CLEVELAND, March 13.—"Strawberry Blonde" drew $13,900 at Warners' Hippodrome to lead the city. "Buck Privates," aided by Ray Noble's orchestra on the Palace stage, earned $14.800.

Estimated takings for the week ending March 6:

"Back Street" (Univ.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $4,800. (Average, $4,000)
"Strawberry Blonde" (W. B.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $13,900. (Average, $11,000)
"Buck Privates" (Univ.)
RKO PALACE—(3,100) (33c-47c-55c) Ray Noble's orchestra on the stage. 7 days. Gross: $14,800. (Average, $13,500)
"Son of Monte Cristo" (U. A.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10,100. (Average, $11,000)
"Road Show" (U. A.)
LOEW'S STILLMAN — (1,900) (33c-39c-47c) 7 days. Gross: $2,200. (Average, $4.000)

Agency Signs Harmon

ANN ARBOR, Mich., March 13.—Tom Harmon, All-America half-back of 1940, disclosed here he had signed with the Crosby Agency in Hollywood for one picture at $13,500, with an option for a second at $17,500.

'Wind' Holds Frisco Pace With $13,500

SAN FRANCISCO, March 13.—"Gone With the Wind" took $13,500 at the Warfield in its third week. The weather improved, aiding grosses. "Strawberry Blonde" and "Honeymoon for Three" scored $17,000 at the Fox.

Estimated takings for the week ending March 4-8:

"Mr. and Mrs. Smith" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 3rd week. Stage: vaudeville. Gross: $12,500. (Average, $15,000)
"Andy Hardy's Private Secretary" (M-G-M)
"Murder Among Friends" (20th-Fox)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $11,000. (Average, $11,500)
"Strawberry Blonde" (W. B.)
"Honeymoon for Three" (W. B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,000. (Average, $16,000)
"Virginia" (Para.)
"Wild Man of Borneo" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,700. (Average, $6,000)
"Buck Private" (Univ.)
"Meet Boston Blackie" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $8,500. (Average, $8,000)
"Blackout" (U. A.)
UNITED STATES—(1,200) (15c-35c-40c-55c) 7 days. Gross: $7,600. (Average, $8,000)
"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (25c-40c-55c) 7 days, 3rd week. Gross: $13,500. (Average, $12,000)
"They Met on Skis" (C. L. Import Co.)
CLAY—(400) (15c-35c-45c) 7 days, 3rd week. Gross: $600. (Average, $1,000)
"Fantasia" (Disney)
GEARY—(1,288) (55c-75c-$1.10-$1.65) 4 days. Gross: $10,000. (Average, $9,000)

'Nice Girl?' Takes $12,500, St. Louis

ST. LOUIS, March 13.—"Nice Girl?" billed with "Dr. Kildare's Crisis," grossed $12,500 at the Ambassador. The week was marked by an intensive primary campaign, which hurt grosses.

Estimated takings for the week ending March 6:

"Nice Girl" (Univ.)
"Dr. Kildare's Crisis" (M-G-M)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $12,500. (Average, $11,500)
"High Sierra" (W. B.)
"Honeymoon for Three" (W. B.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $11,000. (Average, $11,000)
"So Ends Our Night" (U. A.)
"Maisie Was a Lady" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $11,500. (Average, $13,000)
"Virginia" (Para.)
"Buck Privates" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 2nd week. Moved over from Ambassador. Gross: $5,800. (Average, $4,000)
"Romance of the Rio Grande" (20th-Fox)
"Arkansas Judge" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,800. (Average, $2,600)

Dual Intermission Is Tried in Seattle

Seattle, March 13.—A new "relief period" for audiences at double-feature shows has been inaugurated here at Hamrick-Evergreen's Fifth Avenue, Paramount and Orpheum Theatres. Twice daily, once in the afternoon and once in the evening, between the showing of the two features, a five-minute intermission is scheduled.

Feature Reviews

"The Round Up"

(Paramount)

RICHARD DIX, Patricia Morison and Preston Foster are joined by Don Wilson, the well known announcer on the Jack Benny radio program, in an outdoor action film directed by Lesley Selander.

Dix, a wealthy rancher, marries Miss Morison just as Foster returns. The latter is a ne'er-do-well who was believed to be dead. Foster attempts to resume the romance with Miss Morison and she is perplexed by her devotion to her husband on the one hand and her love for Foster on the other.

Foster gets into a series of scrapes in which he involves Miss Morison. Dix plays the role of the strong, silent man and murders one man who attempts to annoy his wife. Later, a gambler (Jerome Cowan) is shot and Dix is accused, but Foster clears him by a confession. Complications are provided by a gun running gang which smuggles rifles to the Apache Indians. Three songs are woven into the plot, and several laughs result from the romance of Wilson and Ruth Donnelly.

Running time, 90 minutes. "G."*

EDWARD GREIF

"Back in the Saddle"

(Republic)

Hollywood, March 13

"BACK in the Saddle," starring Gene Autry, top western star, and featuring Smiley Burnette and Mary Lee, is a modern story dealing with the fight of cattlemen attempting to stop copper miners from polluting streams. Autry, as leader of the ranchers, effects a solution to the problems presented by an unscrupulous mining company head, through legal action backed by gunfire.

A musical western, there are eight songs of the outdoor type sung by Autry, Burnette, Mary Lee and Jacqueline Wells. Others in the cast are Edward Norris, Addison Richards, Arthur Loft, Edmund Elton, Joe McGuinn, Edmund Cobb and Robert Barron.

Lew Landers directed this Harry Grey production.

Running time, 71 minutes. "G."*

VANCE KING

"G" denotes general classification.

'Strawberry Blonde' $17,500, Pittsburgh

PITTSBURGH, March 13.—"Strawbery Blonde" pulled $17,500 at Loew's Penn. "Buck Privates" built to $7,200 at the Senator, and "Honeymoon for Three," helped by "Folies Bergere" on the stage, drew $19,000 at the Stanley.

Estimated takings for the week ending March 6:

"Strawberry Blonde" (W. B.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $17,500. (Average, $13,000)
"Kitty Foyle" (RKO)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $4,800. (Average, $3,000)
"Buck Privates" (Univ.)
SENATOR—(1,700) (28c-39c-55c) 7 days. Gross: $7,200. (Average, $5,000)
"Honeymoon for Three" (W. B.)
STANLEY—(3,600) (28c-44c-66c) 7 days. On stage: "Folies Bergere." Gross: $19,000. (Average, $18,000)
"Virginia" (Para.)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $6,500. (Average, $5,000)

Uses Singles, Duals

KANSAS CITY, March 13.—Fox Zimm at Winfield, Kan., has reopened under Manager Hugh Siverd, and will use a single feature the first half of the week and duals the second half. The Regent there discontinues double features under the new arrangement.

Takes Over Ia. Theatre

CRESCO, Ia., March 13.—Jack Kuech, operator of the Gem Theatre at Charles City, Ia., has taken over the operation of the Mode here. J. A. Tuchek, who built the Mode last Fall, owns the theatre building.

'Night Train' Draws $8,000, Kansas City

KANSAS CITY, March 13.—Pinky Tomlin and his orchestra on the stage and "Night Train" at the Tower drew $8,000. "Virginia" brought $7,500 to the Newman in the second week.

Estimated takings for the week ending March 4-7:

"Western Union" (20th-Fox)
ESQUIRE—(800) (28c-44c) 6 days, 2nd week. Gross: $2,000. (Average, 6 days, $1,900)
"This Thing Called Love" (Col.)
"Wild Man of Borneo" (M-G-M)
MIDLAND—(4,000) (28c-44c) 7 days. Gross: $8,500. (Average, $9,500)
"Virginia" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $7,500. (Average, $7,000)
"High Sierra" (W. B.)
"Play Girl" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $5,500. (Average, $5,000)
"Night Train" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Pinky Tomlin and orchestra, Betty Bennett. Gross: $8,000. (Average, $6,000)
"Western Union" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 6 days, 2nd week. Gross: $2,800. (Average, 6 days, $2,600)

Buys House in Indiana

DELPHI, Ind., March 13.—Raymond V. Whitman of Chicago has purchased the Arc here from Mrs. J. M. Gardner and has reopened it. The house had been closed since the death of Mr. Gardner a few years ago.

Reopens Drive-In House

NEW ORLEANS, March 13. — The open-air drive-in theatre on Canal Boulevard here which operated last Summer has reopened. Charles Woolner is manager.

'Andy Hardy' Seattle High With $8,500

SEATTLE, March 13.—"Andy Hardy's Private Secretary" at the Fifth Avenue and "Strawberry Blonde" at the Orpheum were the two best grossers; the former with $8,500 and the [illegible] with $6,300. Extremely mild [illegible] weather and a city-wide housing exposition offered competition.

Estimated takings for the week ending March 7:

"Virginia" (Para.)
"Life with Henry" (Para.)
BLUE MOUSE—(950) (30c-40c-50c) 7 days. 2nd week. Gross: $2,900. (Average, $4,000)
"Andy Hard's Private Secretary" (M-G-M)
"Ride, Kelly, Ride" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,500. (Average, $7,000)
"This Thing Called Love" (Col.)
"Phantom Submarine" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 4th week. Gross: $5,500. (Average, $5,000)
"Gone With the Wind" (M-G-M)
MUSIC BOX—(950) (40c-58c-75c) 7 days, 3rd week. Gross: $4,900. (Average, $4,000)
"Strawberry Blonde" (W. B.)
"Behind the News" (Repub.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. 7 days. Gross: $6,300. (Average, $5,000)
"Meet the Chump" (W. B.)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. "Cocoanut Revue" on stage. Gross: $4,900. (Average, $5,000)
"Western Union" (20th-Fox)
"Wild Man of Borneo" (M-G-M)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $5,700. (Average, $6,000)

Minneapolis Gives 'One' Good $10,500

MINNEAPOLIS, March 13.—"You're the One," with a stage show, registered $10,500 at the Orpheum, while "Mr. and Mrs. Smith" did $9,500 at the State, despite adverse weather.

Estimated takings for the week ending March 7:

"Mr. and Mrs. Smith" (RKO)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $9,500. (Average, $6,000)
"You're the One" (Para.)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Stage, International Casino revue. Gross: $10,500. (Average, $5,500)
"Flight From Destiny" (W. B.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $1,600. (Average, $1,600)
"Road Show" (U. A.) (4 days)
"Michael Shayne, Private Detective" (20th-Fox) (4 days)
GOPHER—(998) (28c) 8 days. Gross: $1,900. (Average, $2,500)
"Virginia" (Para.)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $4,000)
"Let's Make Music" (RKO) (4 days)
"Face Behind the Mask" (Col.) (4 days)
"Father's Son" (W.B.) (4 days)
"Along the Rio Grande" (RKO) (4 days)
ASTER—(900) (15c-28c) 8 days. Gross: $1,800. (Average, $1,800)

AGVA Says Ranks Firms Despite AFM

Blanche Witherspoon, executive secretary of the American Guild of Musical Artists, in a statement yesterday declared that the union's ranks were holding despite the defection of Albert Spalding, concert violinist, and several others, who have joined the American Federation of Musicians.

She asserted that AGMA would continue to fight the order of James C. Petrillo, A.F.M. president, that all concert instrumentalists must join the A.F.M. She also pointed out that litigation is pending in the New York Court of Appeals for an injunction.

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MOTION PICTURE HERALD
MOTION PICTURE DAILY

QP

NTSC to Urge 375-Line Color For Television

An increase in the number of lines from 343 to 375 for color television will be recommended as a standard by the National Television Systems Committee to the FCC at the television hearing next Thursday, it was learned yesterday. This move follows the decision to increase the lines for black and white from 441 to 525 and brings color to within 66 lines of the existing standard (441) for black and white.

Tests Convince Experts

Tests conducted since Jan. 27 when the NTSC rendered its first report to the FCC have convinced the engineers of the practicability of increasing the definition of the color picture. In January, FCC Chairman James L. Fly expressed great interest in the color system demonstrated by Dr. Peter C. Goldmark, CBS chief engineer for television, and asked for additional experiments.

A final meeting of the NTSC will be held today for the purpose of editing the recommendations which have been changed since January.

The problem of synchronization has also been solved by a compromise just as in the case of the number of lines. Instead of insisting on the Radio Manufacturers Association standards which were approved in January, the NTSC will recommend three alternative systems, the RMA, Dumont and Hazeltine-Philco. By making all three standard and permitting the individual telecaster to decide which one he prefers, all factions will be satisfied.

Present Receivers Adaptable

This compromise was possible because existing television receivers will operate regardless of which synchronizing pulse is transmitted. However, there is a tacit understanding that all manufacturers will continue to manufacture receivers capable of all three pulses until one method is proved superior and adopted as a standard. Members of the NTSC believe, it was said, that if the FCC adopts standards there will be sufficient experimentation with all three methods to make a final decision possible in from three to six months.

Action Against NBC, Winchell Dismissed

N. Y. Supreme Court Justice Edward B. McLaughlin yesterday dismissed the $1,000,000 libel suit of Joseph Curran, as president of the National Maritime Union of America against Walter Winchell, RCA, NBC, The Daily Mirror, Inc., and the Andrew Jergens Co., with leave to amend the complaint. The plaintiff charges Winchell with broadcasting over WJZ that the union was subversive.

Wakefield Vote Monday

WASHINGTON, March 13.—The Senate Interstate Commerce Committee today sent to the Senate a favorable report on the nomination of Ray C. Wakefield to the Federal Communications Commission and his confirmation was placed on the calendar for action Monday.

Off the Antenna

THREE CBS shows will go over to NBC-Red April 28. General Foods will sponsor "Home of the Brave" over 80 Red stations at 5-5:15 P.M. and "Portia Faces Life" over 84 outlets at 5:15-5:30 P.M. Best Foods will sponsor "We, the Abbotts" over 52 stations 5:30-5:45 P.M. All are script shows heard Mondays through Fridays. "Girl Alone," "Lone Journey" and "Jack Armstrong," now heard during those periods, will be shifted to spots made vacant by the removal of the Procter & Gamble programs which are leaving the network.

• • •

Purely Personal: *Arthur Kurlan has written the radio adaptation of "Petrified Forest" which will be broadcast to England on "Friendship Bridge" program by WRUL, Boston short wave station, next Thursday. . . . Charles Stark, free lance announcer, will celebrate his 12th anniversary on the air March 27. . . . Alfred J. McCosker, WOR president and chairman of the Mutual board, and Harry Hershfield, cartoonist and humorist heard over WOR, were awarded B'nai B'rith meritorious service medals yesterday for their work as sponsors of the McCosker-Hershfield Cardiac Foundation.*

• • •

Mutual and NBC-Blue will acquire full time outlets in Oklahoma City April 27. KOCY will join Mutual and KTOK, which is now affiliated with both networks, will become a full time Blue outlet. Both stations operate on 250 watts.

• • •

Program News: E. I. duPont de Nemours has renewed "Cavalcade of America" for an additional 26 weeks over 55 NBC-Red stations, effective March 31. On that day it will move from Wednesdays to Mondays at 7:30-8 P.M., the spot which will be made vacant by Burns & Allen after March 24. . . . Dorothy Thompson will discontinue her Sunday night commentary series over Mutual after March 30. . . . General Mills has renewed for 52 weeks the 2:15-2:30 P.M. period Mondays through Fridays over 28 NBC-Red stations but beginning March 24 will substitute "The Mystery Man," dramatizations of famous mystery stories, for "Betty Crocker." . . . WABY, Albany, again will broadcast Eastern League baseball games in that city this season with Atlantic Refining and Wheaties sharing sponsorship. Sherb Herrick and Gren Rand will be at the microphone. . . . Art Metal Works will sponsor the Friday night period of "Paul Sullivan Reviews the News" over CBS. . . . WHN again will climax its hockey coverage with broadcasts of the Stanley Cup playoffs.

• • •

NBC will fly *a group of its star performers to Washington to supply a show for the White House Correspondents Association annual dinner at the Willard Hotel tomorrow. Clarence L. Menser, national program director, will produce the show.*

Theatre Changes

New Columbus Company

COLUMBUS, O., March 13.—The Palace Amusement Co. has been incorporated here by Mrs. Ethel Miles, Warren E. Insley and Elinore Strong to operate the 600-seat Palace, subsequent run in downtown Dayton, O. Arthur A. Miller is president and Mrs. Miles secretary and treasurer. Both are associated in the Mid-West Booking Agency operating a circuit here formerly known as the Chesbrough Theatres. Thomas R. Young has been named manager of the Palace.

To Renovate Newport House

NEWPORT, R. I., March 13.—The Strand here has closed for extensive alterations. Front of the house and all public rooms will be rebuilt, and the theatre will be reseated where necessary. It is part of the M. & P. circuit, and is managed by David Dugan.

Open Michigan House Soon

DETROIT, March 13. — The new Bloomfield Theatre at Birmingham, near here, will be opened shortly. Seating 1,000, the house is owned by United Detroit Theatres. Malcolm Ross will be manager.

Plans Connecticut House

WATERBURY, Conn., March 13.—Fred Quantrano of the Lido here, has received a permit to build a 700-seat theatre in Newington. Conn.

Buys Dayton Suburban

DAYTON, O., March 13. — Manny Marcus, who operates the suburban Esquire here as well as theatres in Indianapolis and Ft. Wayne, Ind., has purchased the 900-seat Columbia, local subsequent run. Homer Guy, former owner, will devote his entire time to the Mayfair, burlesque house which he has operated for some time.

Add Nova Scotia Theatres

ST. JOHN, N. B., March 13.—B. & L. Theatres here have added the Strand, Sydney; King's, Annapolis Royal, and Capitol, Shelbourne, all in Nova Scotia.

Takes Pittsburgh House

PITTSBURGH, March 13.—The Mt. Oliver Amusement Co. soon will begin operation of a new theatre in the Shadyside neighborhood. The house, seating 800, was built by Aaron Rosenzweig, an attorney, and associates.

Buys Ontario Theatre

TORONTO, March 13. — William S. Woolf, manager of the Liberty Theatre at Amherstburg, Ont., for a number of years, has purchased the theatre, seating 412 persons, for $27,500 cash.

Reopens Wisconsin House

SHEBOYGAN, Wis., March 13.—Walter E. Hoffman, formerly of South Bend, Ind., has reopened the State Theatre here.

FCC Approves 2 New FM Stations

WASHINGTON, March 13.—The Federal Communications Commission has granted construction permits for two new FM stations.

The stations will be constructed by Gordon Gray, Winston-Salem, N. C., to operate on the 44,100-kilocycle channel to cover 69,400 square miles with a population of 4,346,000, [illegible] the Midland Broadcasting Co., [illegible]sis City, Mo., to operate on 46,[illegible] kilocycles with 1,500 watts power.

A construction permit also was granted Thomas J. Watson for a regular broadcast station at Endicott, N. Y., to operate on 1,420 kilocycles with 250 watts power, and applications were approved to increase the power of Station KBIX, Muskogee, Okla., from 100 to 250 watts, and authorizing Station KFBC, Cheyenne, Wyo., to change frequency from 1,420 to 1,210 kilocycles and increase night power from 100 to 250 watts.

Two Hearings Ordered

The commission ordered hearings on the applications of the Triple Cities Broadcasting Co., Inc., for a new 1,420-kilocycle, 250-watt station at Binghamton, N. Y., and the Utica Observer Dispatch, Inc., for a 1,420-kilocycle, 250-watt station at Utica, N. Y.

WHN, New York, has been granted permission to increase power from 5,000 watts day and 1,000 watts night, to 50,000 watts, with a change of frequency to 1,050 kilocycles.

The FCC also authorized WLBZ, Bangor, Me., to increase its power from 500 watts night and 1,000 watts day to 5,000 watts full time, and WSIX, Nashville, to increase from 250 watts full time to 1,000 watts night and 5,000 watts day.

Crosley's 1940 Net Loss at $1,589,288

CINCINNATI, March 13.—The Crosley Corp., operating stations WLW, WSAI and short wave station WLWO, and manufacturing radio receiving sets and other electrical appliances, showed a net loss of $1,589,288 in 1940, Powel Crosley, president, advised stockholders in his annual statement. In 1939, the company had a net profit of $84,949. Net sales in 1940 were $16,915,349, compared with $16,051,076 in 1939.

The 1940 loss was partially attributed to reorganization program of personnel, particularly in the manufacturing division, and the expenditure of considerable sums for manufacturing process changes, sales promotion plans and new designs of product, Crosley said.

Time, Inc., Net $3,494,590

Time, Inc., producers of March of Time and publishers of *Time, Life, Fortune* and *Architectural Forum,* yesterday reported net profit of $3,494,590 for 1940, or $14.80 a share on the common stock. This compares with $3,206,751, or $13.65 a share, in 1939.

New Pact for Nugent

HOLLYWOOD, March 13.—Frank Nugent, former *New York Times'* film critic, has been given a one-year extension of his writing contract by 20th Century-Fox.

DO NOT

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 52 NEW YORK, U. S. A., MONDAY, MARCH 17, 1941 TEN CENTS

Television 'Go' Expected Next Week, for Fall

FCC Ruling Anticipated On Flexible Basis

Radio and theatre observers in New York believe that the FCC will approve commercialization of television to start in the fall, after its hearing on the subject on Thursday, but will set standards on a flexible basis, permitting continued experimentation to develop the field. The hearing is expected to last not more than two or three days.

Meanwhile, the issue of vertical as opposed to horizontal polarization, one of the big problems in fixing standards last year, has been resolved by a reportedly unanimous agreement on the horizontal method, members of the National Television

(*Continued on page* 8)

Famous Players to Hold Meet in May

TORONTO, March 16.—Famous Players Canadian Corp. is arranging to hold its annual convention of all theatre managers at Toronto in May before the expiration of the five-year contract of N. L. Nathanson, president, in June.

The convention was cancelled last year because of the war. In previous years the annual meeting was held at the end of July.

The early convention is linked by observers with recently disclosed reports that Nathanson will head a new circuit, Odeon Theatres of Canada, Ltd., which already has acquired 12 houses in Western Canada and one in Toronto and is reported to be nego-

(*Continued on page* 5)

Pathe Films Office In London Bombed

London headquarters of Pathe Films, Ltd., were damaged by bombs during last week's air raids, according to word received in New York by William Gell, managing director of the company, who is here on a business visit.

The extent of the damage was not reported.

N. Y. Tax on Boxing Affects Fight Films

Albany, March 16.—Attorney General John J. Bennett, Jr., has ruled that the state's five per cent tax on gross receipts of boxing exhibitions within the state also applies to receipts on pictures of fights shown not only in New York State but in other states as well.

10 Firms Spending $5,000,000 on War And Defense Films

The 10 leading production companies are spending more than $5,000,000 on films based on war or defense stories, Joseph M. Schenck, 20th Century - Fox board chairman, told reporters on Friday.

Joseph Schenck

Schenck said that the production plans, which include those of Republic and Monogram as well as the eight major companies, are part of the industry's program for cooperation with the Government for defense. The 10 companies, he said,

(*Continued on page* 5)

FIRST ARBITRATION AWARD TO THEATRE

U. A. Fighting Anti 5 - Block Bill in Georgia

United Artists is opposing enactment of the Georgia bill as well as the Minnesota measure which would set aside the blocks-of-five provision of the Federal consent decree and require distributors to offer their entire product with a 20 per cent cancellation privilege to the exhibitor.

This is said to be because United Artists is obliged to sell the releases of its various producers separately, and the company is described as viewing the exhibitor-sponsored bills to maintain block booking and selling as a threat to its established system, which might force it to withdraw from states adopting such legislation.

Although not a party to the Federal consent decree and actually opposed to blocks-of-five selling itself, United Artists thus finds itself in the position of defending the decree against the two state measures to in-

(*Continued on page* 4)

Nashua, N.H., House Gets Product on 'Some Run' at Boston Hearing

BOSTON, March 16.—An exhibitor was the victor in the first arbitration case to come to a decision since the system was instituted under the New York case Federal consent decree, in a 45-minute hearing here on Friday. The winner was Paulston, Inc., operator of the Park Theatre at Nashua, N. H., which received an award for "some run" against Paramount, Warners, RKO and 20th Century-Fox.

The four companies were ordered to offer the Park their releases up to July 31, 1942. The award does not state when the order becomes effective. Loew's, Inc., was eliminated as a respondent when it made a settlement with the complainant last week, as reported in Friday's *Motion Picture Daily.*

The victory by Paulston, Inc., came exactly four weeks after its claim was

(*Continued on page* 4)

Omaha Meeting to Discuss Problems

OMAHA, March 16.—Industry representatives from all over the country will be invited to attend a one-day meeting here on April 22, sponsored by the Omaha Variety Club, for a discussion of problems of general industry interest.

Ed Kuykendall, M. P. T. O. A. president, who was here late last week to aid with plans for the meeting, will be one of the speakers. Company executives from New York will be invited to address the meeting.

The tentative program discussed with Kuykendall by Albert Menden-

(*Continued on page* 4)

Delaware Has Shows on Sunday After 200 Years

WILMINGTON, Del., March 16.—Gov. Walter W. Bacon on Friday signed the Richards "liberal Sunday" law repealing Delaware's ancient blue laws and providing local option, thereby permitting film theatres to operate legally on the Sabbath for the first time in the 200-year history of the state.

Film shows are permitted in incorporated cities and towns between 12 o'clock noon and 6 P. M. and from 8 P. M. to midnight, where no local ordinances or rulings to the contrary exist. Exhibitors, however, for the

(*Continued on page* 5)

Joelson Takes Over Consolidated Circuit

Julius Joelson, former New York and New England exhibitor, on Saturday took possession of the 18 theatres owned by Consolidated Amusement Enterprises.

Neither Joelson nor Louis Nizer, attorney, who represented him in the deal, would disclose the purchase price.

Laurence S. Bolognino, who has operated the theatres for the past 20 years, will operate a new theatre under construction at 19th Street and Eighth Avenue and will continue to buy and

(*Continued on page* 5)

Army Fliers to See 'Wings' in Texas

San Antonio, March 16.—Paramount's "I Wanted Wings" will be shown to the press and Army men at the post theatre at Randolph aviation field here Saturday. Kelly Field and Randolph Field are scheduled to supply no less than 250 planes for a gigantic show as part of the program.

New 7-Year Pacts Voted 'U' Executives

Wilmington, Del., March 16.—New seven-year contracts for seven Universal Pictures Co. executives were approved by the company's stockholders at their annual meeting here Saturday by 231,427 shares of common stock, voted in person or by proxy, with 100 shares opposed. All retiring directors were reelected.

Harold Wilkes Rites Held; Was with Para.

New Orleans, March 16.—Funeral services for Harold F. Wilkes, former Paramount Southern district manager, were held here yesterday.

Wilkes, who was 48 years old, died of a chronic cardiac condition late last Thursday following a long illness. He had been on a leave of absence from Paramount since last April. He had been with Paramount since 1913 when he joined the company as a booker. He was executive manager for S. A. Lynch Enterprises, then New Orleans branch manager and, in 1939, was made Southern district manager.

He is survived by a widow and two children.

Report Col. Deal for English Production

London, March 16.—Reports here indicate that Columbia will announce a British production deal, probably within a few days. Three companies are said to be involved in the deal, one of which is reported to be the new organization established by George Formby for the production of his own films.

Hollywood, March 16.—Joseph Friedman, former managing director for Columbia in England, and now at the studio, admitted over the weekend that a deal is being negotiated by Columbia for British production, but declined to reveal further details.

Brooklyn Theatre Is Fined as Tax Evader

A fine of $250 was imposed on Monard Theatre Corp., operator of the Shubert, Herkimer St. and Broadway, Brooklyn, and another of $500 on Albert J. Mackler, president, by Judge Matthew T. Abruzzo in the Brooklyn Federal Court Friday. The imposition of the fines followed a plea of guilty two weeks ago to a charge of failure to turn over amusement taxes collected at the theatre. At the time of the guilty plea, the theatre agreed to pay $1,700 in collected taxes to the Government.

Augusta Mayor Will Sue Over 'Tobacco'

Atlanta, March 16.—Mayor James M. Woodall of Augusta, Ga., has announced intention of filing suit against 20th Century-Fox charging libel in the film "Tobacco Road." Charging that the film prejudiced the entire nation against Augusta, Woodall said he would ask damages of $500,000 and that the money would be used to build a needed farmers' market for Augusta.

Personal Mention

WILL H. HAYS returned to his office Friday from the Coast and Washington.

•

James Mulvey, Eastern representative for Samuel Goldwyn, left on Friday for a Southern cruise on the *George Washington.*

•

W. C. Gehring, 20th Century-Fox Central division manager, returned from the Midwest over the weekend.

•

William K. Saxton, city manager for Loew's in Baltimore, who returned to his post recently after an operation, is ill with the grippe.

•

Sam Galanty, Mideast division manager for Columbia, has returned to his Washington headquarters from a tour of his territory.

•

Joseph McConville, foreign sales manager for Columbia, is in Florida.

•

Thomas Donaldson, M-G-M manager in Boston, has left for Florida.

FRED KENT, attorney for the Sparks and Wilby & Kincey circuits, was in New York at the weekend for Paramount home office conferences.

•

Frederick L. Herron, M.P.P.D.A. treasurer and foreign department head, will return today from a vacation in Arizona.

•

John N. Dillon, Los Angeles branch manager for 20th Century-Fox, is back at his post after a checkup at the Methodist Hospital there.

•

William M. James, former exhibitor in Columbus, O., is ill in Hollywood, Fla., where he has been on vacation.

•

Max Factor, manager of the Pioneer Circuit in Des Moines, has left for a two-week vacation in Los Angeles with Mrs. Factor.

•

Harry Holdsburg, manager of the Tri-States Des Moines Theatre in Des Moines, is convalescing at home after a minor operation.

Court Rules 'Carson' True, Frees Manager

City Magistrate Joseph Ringel yesterday dismissed a criminal libel case against Paul Murphy, manager of Loew's Ziegfeld Theatre, on the complaint of Captain John C. Fremont and Jesse Fremont, grandchildren of General John C. Fremont. The complainants had charged the defendant with exhibiting the United Artists' film, "Kit Carson," which they claimed libelled the character of their grandfather by allegedly depicting him as a bigamist and as stupid and stubborn. The Magistrate ruled that the film fairly depicted Fremont's character after seeing it at a special screening.

John Balaban Marks 25th Anniversary

Chicago, March 16.—John Balaban, operating head of the Balaban & Katz theatres, observed his 25th anniversary in the business here yesterday. Balaban was felicitated by numerous friends during the day, including Oscar Doob, advertising and publicity director of Loew's theatres, and former B. & K. worker, who came here from New York for Balaban's anniversary.

Spyros Skouras Is Due Here from Coast

Spyros Skouras, head of National Theatres, and other executives of the circuit are expected here midweek from the Coast, where they held their annual meeting. Returning with Skouras will be William T. Powers, Milton Hossfeld, Irving Barry, Manfred Lundgren, H. C. Cox, Aubrey Schenck, John Healy and Edward Zabel.

Walker Rites Tomorrow

Cincinnati, March 16.—Funeral services will be held here Tuesday afternoon for Stuart Walker, former Paramount producer-director, who died Thursday in Beverly Hills, Calif. Burial will be in the family lot at Spring Grove cemetery.

Greater N. Y. Fund Makes Drive Film

The Greater New York Fund has prepared a nine-minute film, "For the People," for exhibition in theatres during the forthcoming campaign. Although an appeal is made for funds, the audience is told to make contributions through their employers. No arrangements have been made yet for distribution, which will be free to theatres.

Raymond Massey is the commentator. Scenes from institutions benefited by the Fund are shown. Prints are available in 16mm. for showing to organizations and employe groups.

Col. Posts Awards In Playdate Drive

Columbia has posted special awards for division managers in the company's annual sales and playdate drive, termed the "Columbia Exhibitors Good Will Campaign," which ends May 30.

Two prizes will be awarded to the division managers whose districts accomplish the greatest percentage of improvement in billings at the conclusion of the 13 weeks drive, as compared with their campaign quota.

Al Vaughan Joining Small as Ad Head

Hollywood, March 16.—Al Vaughan, publicity and advertising director for Sol Lesser, is resigning to take a similar position with Edward Small Productions, also releasing through United Artists. He will join Small March 24, after handling the preview and premiere of "That Uncertain Feeling," Ernst Lubitsch-Sol Lesser film.

Club Honors UA Men

Detroit, March 16.—Jack Goldhar, district manager for United Artists, and Morris Dudelson, Detroit branch manager, were honored last night by the local Variety Club at a United Artists Night program in the Hotel Book-Cadillac clubrooms.

Injured in Ejecting Patrons, Gets Award

Detroit, March 16. — The Michigan Supreme Court has ruled that six weeks' workmen's compensation should be paid to Lawrence Appleford, assistant manager of the Royal Oak Theatre, who was injured by persons he had ejected from the theatre.

MacGowan Starts Amity Film Work

Washington, March 16.—Kenneth MacGowan, 20th Century-Fox producer on leave of absence, will undertake at once an extensive program for the collection, distribution and, if necessary, production of non-theatrical films for exhibition in Latin America, as part of the hemisphere amity program of the United States government.

This announcement was made over the weekend by Nelson Rockefeller, coordinator of commercial and cultural relations between the American Republics. MacGowan will be director of production under John Hay Whitney, chairman of the motion pictures section.

The assembling and editing of the films will be done by the Museum of Modern Art in New York, which has in its files 13,000,000 feet of educational films.

Rockefeller said that this activity will be carried on simultaneously with the movement to encourage production of commercial films as a medium for promotion of better relations among the American republics, which is being conducted by Hollywood committees, headed by Y. Frank Freeman, president of the Producers' Association.

Julian Street Appointed

John Hay Whitney, president of the Museum of Modern Art, announced over the weekend the resignation of Julian Street, Jr., as secretary of the Museum to work with the Nelson Rockefeller group.

James Stewart to Army

Hollywood, March 16.—James Stewart will become an Army private next Friday. His draft board set the date. He was deferred several months ago because he was under weight.

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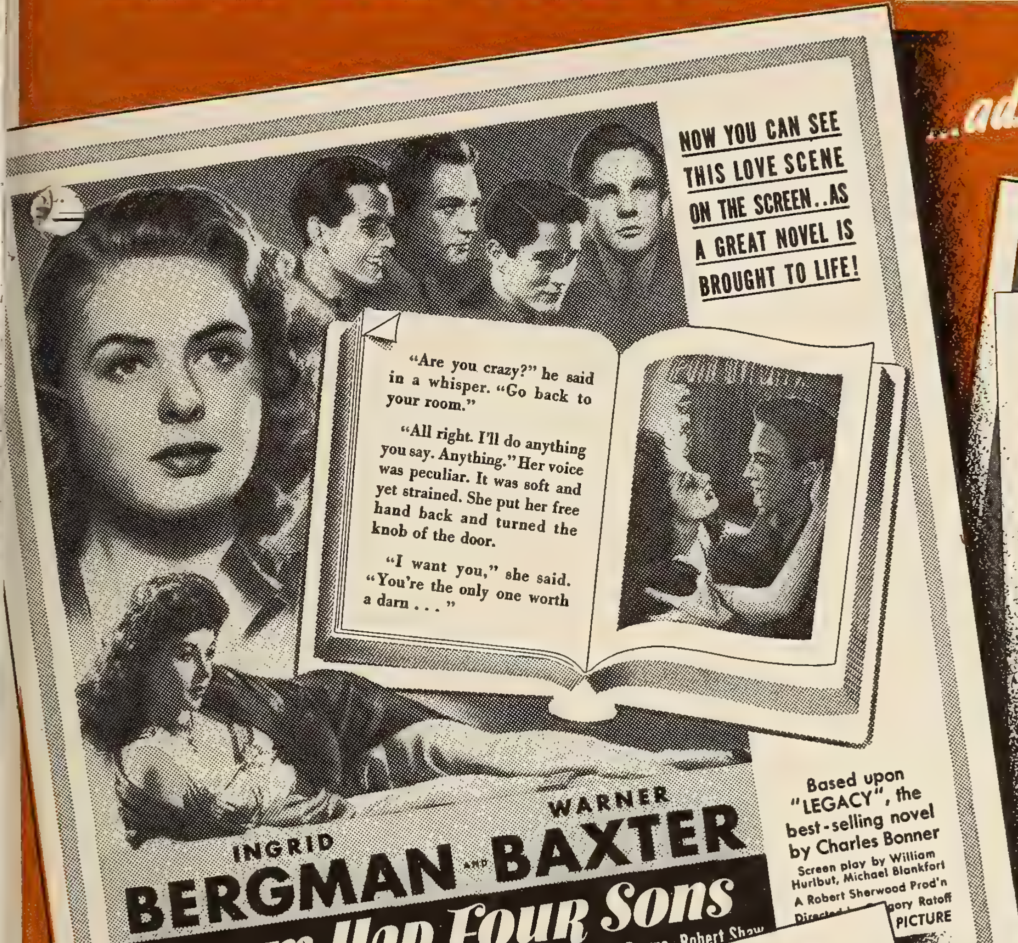
THESE ARE THE ADS THAT ARE SELLING "ADAM HAD FOUR SONS" EVERYWHERE!

...ads that sell that rare thing... A REAL WOMAN'S PICTURE!



NOW YOU CAN SEE THIS LOVE SCENE ON THE SCREEN..AS A GREAT NOVEL IS BROUGHT TO LIFE!

"Are you crazy?" he said in a whisper. "Go back to your room."

"All right. I'll do anything you say. Anything." Her voice was peculiar. It was soft and yet strained. She put her free hand back and turned the knob of the door.

"I want you," she said. "You're the only one worth a darn . . ."

INGRID BERGMAN AND WARNER BAXTER

ADAM HAD FOUR SONS

with Susan Hayward · Fay Wray · Helen Westley · Richard Denning · Johnny Downs · Robert Sh

Based upon "LEGACY", the best-selling novel by Charles Bonner

Screen play by William Hurlbut, Michael Blankfort

A Robert Sherwood Prod'n

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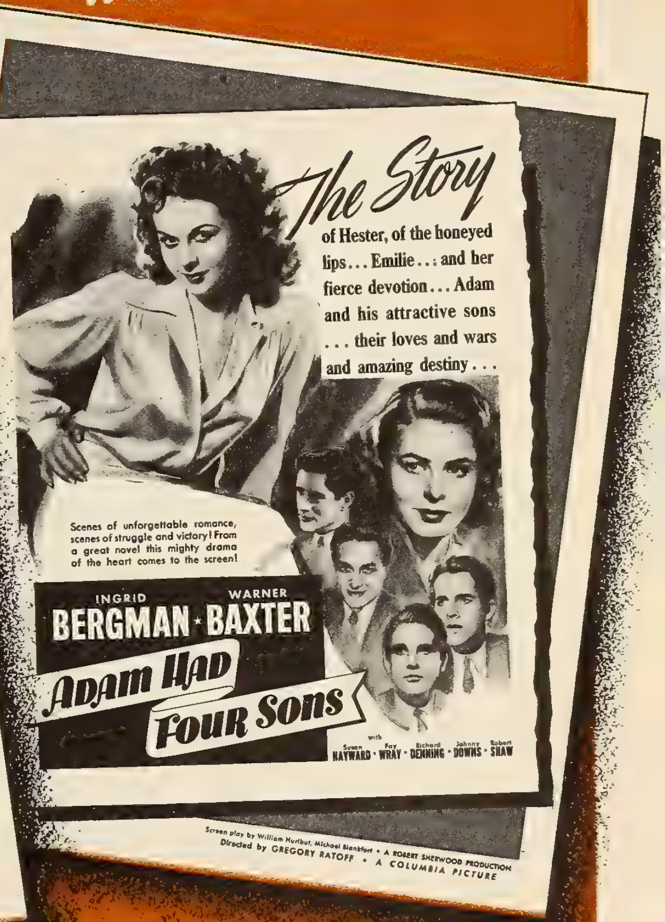
Direct

PICTURE



The Story of Hester, of the honeyed lips... Emilie...: and her fierce devotion... Adam and his attractive sons... their loves and wars and amazing destiny...

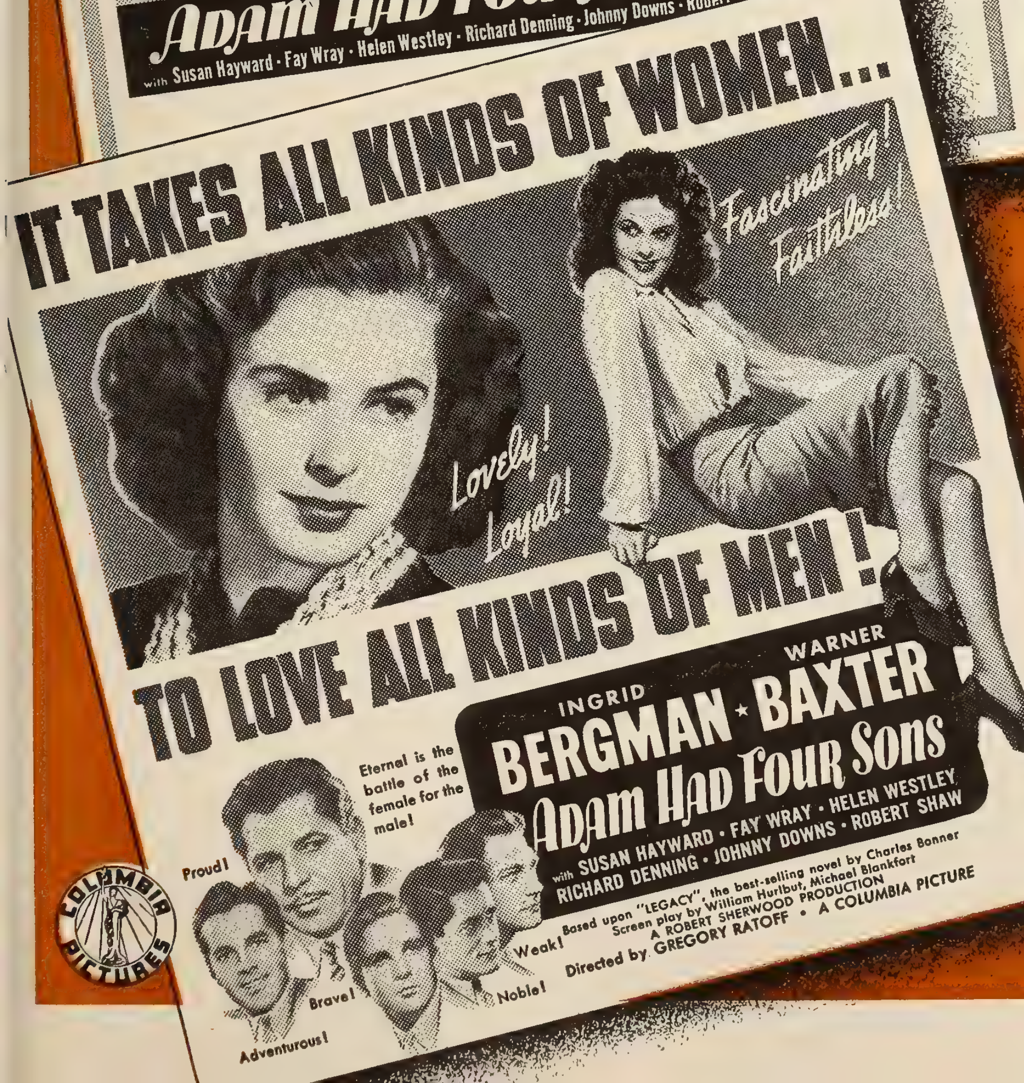
Scenes of unforgettable romance, scenes of struggle and victory! From a great novel this mighty drama of the heart comes to the screen!

INGRID BERGMAN · WARNER BAXTER

ADAM HAD FOUR SONS

with Susan HAYWARD · Fay WRAY · Richard DENNING · Johnny DOWNS · Robert SHAW

Screen play by William Hurlbut, Michael Blankfort • A ROBERT SHERWOOD PRODUCTION
Directed by GREGORY RATOFF • A COLUMBIA PICTURE



IT TAKES ALL KINDS OF WOMEN... TO LOVE ALL KINDS OF MEN!

Fascinating! Faithless!

Lovely! Loyal!

Eternal is the battle of the female for the male!

Proud! Brave! Adventurous! Noble! Weak!

INGRID BERGMAN ★ WARNER BAXTER

ADAM HAD FOUR SONS

with SUSAN HAYWARD · FAY WRAY · HELEN WESTLEY · RICHARD DENNING · JOHNNY DOWNS · ROBERT SHAW

Based upon "LEGACY", the best-selling novel by Charles Bonner
Screen play by William Hurlbut, Michael Blankfort
A ROBERT SHERWOOD PRODUCTION
Directed by GREGORY RATOFF • A COLUMBIA PICTURE

They're pulling 'em into...

- *the* Lafayette, BUFFALO
- *the* Fox, DETROIT
- *the* Earle *and* Ambassador *(day and date)* WASHINGTON
- *the* Pantages *and* HILL St. *(day and date)* LOS ANGELES
- *the* Lincoln, MIAMI BEACH
- *the* Bijou, SPRINGFIELD, Mass.
- *the* Malco, MEMPHIS
- *the* Palace, YOUNGSTOWN
- *the* Palace, CANTON

First Award In Arbitration To Exhibitor

(Continued from page 1)

filed on Feb. 14. Benjamin Gold is general manager of the company. The Park seats 750.

Arthur L. Brown, professor of law at Boston University, was the arbitrator. The hearing took place at the local American Arbitration Association office. Colonial Theatres, Inc., was also named in the complaint.

The speed with which the case was arbitrated was considered impressive by observers in the trade here.

Following a statement of the case by George S. Ryan, attorney for the complainant, Edward F. McLennon of the law firm of Nutter, McLennon & Fish, representing Paramount, Warners and RKO, declared that he had no argument to present and his clients would abide by the arbitrator's award.

Charles Young of the New York law firm of Dwight, Harris, Koegel & Caskey, made a similar statement for 20th Century-Fox. No other evidence was presented by the distributors.

Arbitrator's Statement

The arbitrator's statement of award reads:

"In accordance with the consents filed with the arbitrator, I direct the distributors to offer their pictures for license to said Paulston, Inc., for exhibition at the Park Theatre to the extent of pictures released for exhibition up to July 31, 1942, inclusive, on a run to be designated by said distributors, which are not calculated to defeat the purpose of Section 6 of the consent decree."

Myers Sees Boston Outcome Encouraging

WASHINGTON, March 16.—Abram F. Myers, chairman of the board of Allied States Association, made the following comment today on the first case to be arbitrated under the industry's new system:

"The satisfactory outcome of the first arbitration in Boston and the speed with which it was accomplished should encourage exhibitors having just claims to file such proceedings. I am gratified that the system got off to such a good start and congratulate all who participated for their fair attitude."

Chicago Hearing Decision Due Soon

CHICAGO, March 16.—A ruling on the "some run" arbitration complaint of the State, Morris, Ill., against Loew's, first case to be heard by the local board here, will be handed down within the next few days by Charles Zane Hinkle, arbitrator, who presided at the hearing yesterday.

Loew's, it was learned at the hearing, had invited a settlement of the complaint prior to the hearing by offering "a run" for the State. However, the offer was rejected by E. F. Vanderveer, owner of the theatre.

Ed Lee of Loew's home office legal staff represented the company at the hearing.

Lee was permitted to put John Kemptgen and Sam Shirley of M-G-M's Chicago office on the stand in an attempt to show that third run had been offered Vanderveer, but the offer was refused. Both testified that it was against M-G-M's policy to sell second run in a town of about 5,000 but under the consent decree terms were forced to do so. Vanderveer had sought second run, but a contract had been signed with the Anderson circuit.

Maryland Clearance Complaint Settled

WASHINGTON, March 16.—The Charles Theatre of LaPlata, Md., yesterday withdrew its petition for arbitration of a clearance dispute with the five consenting companies following a settlement resulting from informal conferences among the parties involved.

Terms of the settlement were not made known, but it is understood that an adjustment of clearance in favor of the Charles was agreed upon by the five companies and the Marlboro, Upper Marlboro, Md., operated by Sidney Lust, which was named in the complaint as having "unreasonable" clearance.

'Father' of Arbitration On First N. Y. Case

Julius Henry Cohen, known as the "father" of arbitration, was selected on Friday as the arbitrator for the first complaint filed with the New York local board. No date has been set for a hearing, but it is expected to be the first case heard here. It involves clearance.

The complaint is that of the Hilary Theatre, Brooklyn, against the five consenting companies and the Apollo, Brooklyn. Cohen, a prominent New York attorney, was the sponsor in 1920 of the New York State arbitration act.

Feature Reviews

"Sleepers West"

(20th Century-Fox)

Hollywood, March 16

THE second in the series of melodramas based on the character of Michael Shayne, detective, moves briskly for most of its length, accelerated in a measure by the device of staging most of the action aboard a westbound train making up time, slowing occasionally as characters sit down and talk. Having to do with the attempt of the detective to smuggle an important witness across country to 'Frisco, and with the attempts of the opposition to prevent him from doing so, the film rates as average for its kind and class.

Lloyd Nolan plays the detective, Lynn Bari the newspaper reporter opposed to him by the plot but not by the romantic equation, Mary Beth Hughes the secret witness whose addiction to liquor upsets the detective's plans, Louis Jean Heydt an outsider caught up in the plot, Edward Brophy and Don Costello a pair of detectives whose paths cross Nolan's. At the end the purposes of justice have been served and the detective has made a date with the reporter to get some marrying done.

The story contains no murders, but refers to one committed some time before it opens. There is a crash of the train into a truck, injuring the engineer, and a winging of one detective by another, no fatalties. Humor is handled by several Pullman porters.

Eugene Forde directed for executive producer Sol Wurtzel.

Running time, 74 minutes. "G."* ROSCOE WILLIAMS

"Free and Easy"

(M-G-M)

A 10-YEAR-OLD stage play by Ivor Novello, then known on the Broadway stage as "The Truth Game," this wholly inauspicious effort might better have been left on the Broadway stage—or anywhere else for that matter.

It is in fact an inept screen concoction, which compels the doughty Metro lion to emit an entirely unaccustomed squeak instead of the usual roar. At the same time it takes the services of at least a half-dozn extremely able performers, and causes them to appear to much less than good advantage, although they do their best with the material at hand.

George Sidney's direction failed to provide the piece with sufficient movement, action or general excitement to overcome the handicap of a story which is essentially weak, basically and in execution.

It concerns Robert Cummings, son of Nigel Bruce, both without funds and living by their social wits in English silk hat circles. Cummings is all set to marry the extremely wealthy and unattractive (in this film) Judith Anderson, when he falls in love with attractive, but poor, Ruth Hussey, widow. But when his father signs a check to pay a gambling debt, without money to cover it, Cummings does the noble thing, gets himself engaged to Miss Anderson to save his father, then tells her the truth and goes back to Miss Hussey.

Running time, 56 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

U. A. Fighting Anti 5-Block Bill in Georgia

(Continued from page 1)

validate the decree's sales provisions.

The company sent Benjamin Pepper of O'Brien, Driscoll & Ra[illegible], New York counsel, to Atlanta [illegible]st week to oppose passage of the measure at the public hearing before the House judiciary committee of the Georgia legislature. The committee subsequently reported the bill with the recommendation that "it do not pass." Pepper will remain in Atlanta to oppose the measure further if it is brought up on the floor of the House prior to the expected adjournment of the legislature this week.

Ralph Cramblet, United Artists district manager, and Donald Rogers, Minneapolis attorney, appeared for United Artists in opposition to the Minnesota anti-consent decree bill at a hearing last week.

Columbia and Universal, who are also not parties to the decree, are ignoring the state measures. They will continue to sell under the existing method.

Loew's, 20th Century-Fox, Warners and RKO are opposing the state measures on the ground that they may be forced to withdraw from the states in which the laws are enacted in order to avoid violating either the state laws or the Federal decree.

Paramount, also an assentor to the decree, is not actively opposing the bills, taking the view that the obligation to defend the decree is the Government's, not that of the decree signatories.

Majors to Fight Minn. Measure on Wednesday

MINNEAPOLIS, March 16.—The chief hope of major companies to defeat the anti-block-of-five measure in the Minnesota legislature now lies in the Senate general legislation committee, which is expected to take final action Wednesday. The measure has been approved by the House judiciary committee.

Meanwhile, Northwest Allied has mustered its forces for Wednesday's hearing in an effort to bring about a favorable report on the bill.

Omaha Meeting to Discuss Problems

(Continued from page 1)

hall, Omaha Variety Club chief barker, Robert Livingston of Lincoln, and Sam Epstein and Walter Creal of Omaha, includes a general meeting in the afternoon followed by a banquet and dance in the evening. The morning will be devoted to a closed session for members of the M. P. T. O. of Nebraska and western Iowa, at which officers will be elected, including a successor to the late Charles E. Williams, who was president of the organization.

The meeting is expected to launch the Nebraska-Iowa unit as an active organization. It has been inactive since Williams' recent death.

Mexican Union to Drop Censorship

Mexico City, March 16.—It is understood that the Confederation of Mexican Workers, under its new administration, will abandon its former policy of dictating which pictures may be shown in Mexico.

Two American films banned for their allegedly anti-Com[illegible]st viewpoint were "He [illegible]ed for Breakfast" and "Ninotchka."

Joelson Takes Over Consolidated Circuit

(*Continued from page* 1)

book for the Chelsea, Squire and Morningside, which are not included in the deal.

Joelson has renamed the circuit the J. J. Theatres. They are the Bryant, Times, Arena and the Tivoli in Manhattan, and the Earle, Kent, Luxor, Surrey, Mount Eden, Oxford, Jerome, Ascot, Kingsbridge, Fleetwood, Ogden, Forum, Casino and Avalon in the Bronx. Headquarters will be maintained by Joelson in the Bryant Theatre. Paul Josephs, a New Jersey exhibitor, has been appointed manager of the circuit under Joelson, and Harold Klein, former head booker and buyer for the Cocalis Circuit, has been given the same post with J. J. Theatres. He succeeds Al Suchman, who is reported to be joining National Screen Service.

All film contracts of the Consolidated houses are being assumed by the new company. Joelson said there will be no radical changes in policy but that he believes a "new day for exhibitors has arrived with the consent decree, and that there is room for new methods of operation to fit the times."

He formerly operated a circuit of 12 theatres here which he sold to Fox Metropolitan Playhouses in 1929. Thereafter, he formed a 17-theatre circuit in New England, which he sold to M. & P. Theatres of Boston.

Strauss & Thanhauser were brokers in the deal, which was exclusively reported in MOTION PICTURE DAILY on Feb. 27.

Delaware Has First Shows on Sabbath

(*Continued from page* 1)

most part had no plans for immediate Sunday opening this weekend.

Mayor J. Wallace Woodford of Dover, meanwhile, announced that he will call a special session of the city council next week to consider plans for a referendum on enforcement of the new law.

The liberal statute was passed by the legislature March 7 after much controversy and a state-wide drive to enforce the old laws, characterized as a move to force their repeal. It gives town councils the power to regulate or prohibit any form of "worldly business" on Sunday, other than those mentioned in the law.

In unincorporated districts, the statute specifically bans Sunday horse racing, public auctions, public dances, theatrical performances and film shows. They are permitted in incorporated areas within the specified hours unless prohibited by action of their councils or commissioners.

10 Firms Making Films on Defense

(*Continued from page* 1)

have each agreed to produce at least one feature and one short subject having a military theme or content.

The films will not sacrifice entertainment value to "messages," Schenck said, and many of them will be musicals. Productions either completed, in work or planned which are a part of the industry's cooperative program follow:

Twentieth Century-Fox: "A Yank in the R.A.F.," "Flight Surgeon," "Nazi Ace in the U. S.," "Pearl of Pearl Harbor," and a series of shorts carrying out War Department suggestions.

Columbia: "He's My Uncle," a Fred Astaire musical, and "Red, White and Blue."

Monogram: "Navy Bound."

Republic: "Rookies on Parade."

M-G-M: "Flight Command," "Land of Liberty," "Our Flag" and a war feature not set yet.

Paramount: "I Wanted Wings," "Caught in the Draft," "Little Miss Muffett," "Power Dive," "Forced Landing," and "Among the Living."

RKO: "Army Surgeon," "Parachute Squadron," two Harold Lloyd features, "A Girl, a Guy and a Gob" and "My Favorite Spy."

United Artists: "Landfall," "Battle of Britain" and "The Eagle Squadron."

Universal: "Buck Privates" and a sequel to that production.

Warners: "Three Sons o' Guns," "The Tanks Are Coming," "Eagle Escadrille," "I've Got Your Number," "Bomb Shelter," "Navy Blues," "Mother's Boy," "Dive Bomber" and "Parachute Jumpers."

Uptown, Detroit Hearing Tomorrow

DETROIT, March 16.—Universal, Warners and Columbia have agreed to grant clearance to the RKO Uptown here, counsel for the theatre disclosed Friday as Circuit Judge Henry G. Nicol set Tuesday for trial of the Uptown's injunction suit against United Detroit Theatres and distributors.

The Uptown seeks to restrain film companies from licensing United Detroit houses as second runs in alleged violation of its second run contracts.

Paramount, United Artists and United Detroit Theatres, operator of the Royal, specifically named, remain defendants in the suit. Testimony of witnesses will be taken Tuesday.

Stipulations End Goldwyn U-A Suit

Stipulations terminating the litigation between Samuel Goldwyn and United Artists were filed in U. S. District court here Friday, following upon the recent purchase by the company of Goldwyn's United Artists stock and the release of the producer from his distribution contract with the company.

One stipulation terminated the Goldwyn suit for a declaratory judgment invalidating his distribution contract, and the other ended an action which alleged that United Artists had not paid Goldwyn the full amount due him in 1939 under the company's producer bonus plan.

Famous Players to Hold Meet in May

(*Continued from page* 1)

tiating for others in various sections of the Dominion.

Work has resumed on the house being built by the Odeon circuit in Kingston, Ont., after an apparent attempt to buy out the Biltmore, under construction by independent interests. Work had been halted on both houses during the negotiations.

Plans Documentaries

Edmund L. Dorfman, head of the American Institute of Motion Pictures, plans a series of documentary short subjects on American public opinion.

Col. Wins Time for Gov't Suit Answer

The time for Columbia to file its answer to the Government's amended anti-trust complaint in U. S. District court here was extended to March 31 by a stipulation filed Friday. The original date was March 10. The extension was granted because Schwartz & Frohlich, Columbia counsel, have been occupied with the settlement of the Government's litigation against Ascap, which the firm represents.

Take New Orleans House

NEW ORLEANS, March 16.—United Theatres, Inc., has taken over the Famous Theatre here.

British to Consider Reserves Protest

LONDON, March 16.—It is understood the British Ministry of Labor officials have agreed that the protest of the film industry against the proposed change in the reserve occupations listings, as it affects the industry, merits consideration.

It is contended by the Ministry that suitable machinery exists for taking care of any exemptions which may be deemed warranted. The industry, on the other hand, claims that such machinery is too cumbersome in the present emergency, with 4,500 technical film employes involved. Union leaders ask that the status quo be maintained on reserve listings, pending investigation and a final decision.

Under the changes proposed to take effect April 1, projectionists' minimum reserve ages will be increased for projectionists, and various types studio technical employes, and it is expected that at some future date, probably in June or July, those groups also will be eliminated entirely from the lists of reserve occupations.

Republic Sharing Canova with Para.

HOLLYWOOD, March 16.—Judy Canova, at one time under contract to Paramount, and more recently a Republic player, has been signed by Paramount to star in one film annually for the next five years. Miss Canova is under contract to Republic for three pictures a year. She made two pictures for Paramount in 1937.

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JOHN WAYNE: "We've got to understand each other now, Julie to believe in each other! It's our only hope!"
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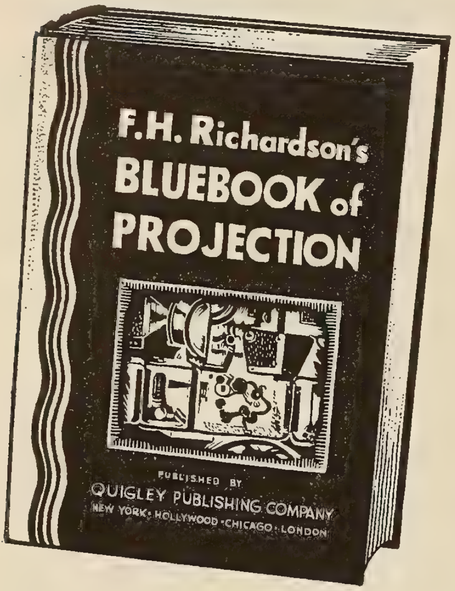
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Critics' Quotes . . .

"MEET JOHN DOE" (Capra-Warners)

A great picture. The story is vitally arresting, as it has to do with the problems of the great masses of poor people; its presentation, under the masterful direction of Frank Capra, is full of surprise, not the least of which is its spiritual significance, and its acting is fine.—*Kate Cameron, New York Daily News.*

A film which is eloquent with affection for gentle people, for the plain, unimpressive little people who want reassurance and faith. . . . We must, heartily suggest you make his (John Doe's) acquaintance at once.—*Bosley C[illegible]ther, New York Times.*

This film is, by far, his (Capra's) most impressive piece of work. . . it has terrific box-office appeal.—*Lee Mortimer, New York Daily Mirror.*

The full power of the screen is unleashed in Frank Capra's "Meet John Doe.". . . A vastly entertaining and moving film.—*Howard Barnes, New York Herald Tribune.*

Granting its faults, "Meet John Doe" is nevertheless one of the big and important pictures of 1941.—*Archer Winsten, New York Post.*

The finest film Frank Capra has ever made, bar none.—*William Boehnel, New York World Telegram.*

Like all recent Capra films, it is made according to formula. The formula is good, the performances splendid, the direction sleek. The formula, however, is beginning to show too clearly.—*Eileen Creelman, New York Sun.*

The production is impressive, the performances are likeable and the dialogue is natural and, at times, deeply affecting. See "Meet John Doe."—*Rose Pelswick, New York Journal American.*

For an all-out glorious time at the movies, as well as a sugar-coated warning against a technique of Fascism, "Meet John Doe."—*Cecelia Ager, PM (New York).*

A patently symbolic story. . . . If they (Capra and Riskin) come out in the black, as they seem likely to, they may film for Paramount Ernest Hemingway's novel, "For Whom the Bell Tolls."—*Life.*

"CHEERS FOR MISS BISHOP" (Rowland-United Artists)

In truth, I'm still sniffling and wiping my eyes. It's the result of one of the most intense vicarious emotional experiences of my life. . . . "Cheers for Miss Bishop," yes; but three times three thousand cheers for Miss Scott in one of the great performances of all times.—*Lee Mortimer, New York Daily Mirror.*

"Cheers for Miss Bishop" is bound to attract wide attention through Martha Scott's superb characterization of the Midwestern school teacher. It is one of the best star performances we have seen on the screen this year.—*Kate Cameron, New York Daily News.*

An American feminine Mr. Chips is tenderly eulogized in "Cheers for Miss Bishop." It is a human and gentle document, full of honest atmosphere and sentiment. . . . A notable addition to the screen's more serious contemplation of our roots, customs and ideals.—*Howard Barnes, New York Herald Tribune.*

What "Goodbye, Mr. Chips" was to the English school for boys, "Cheers for Miss Bishop" tries to be to a small American university in the Midwest. Mr. Chips came off rather better in the competition.—*Archer Winsten, New York Post.*

Secures a firm hold on the spectator's affections. "Cheers for Miss Bishop" is a picture with a heart, with warmth and that rare thing in motion pictures, with the strength of sincerity.—*Eileen Creelman, New York Sun.*

I think "Cheers for Miss Bishop" is one of the most compelling films of the season. . . . Martha Scott distinguishes herself with her sincere and delicate performance.—*William Boehnel, New York World-Telegram.*

"THAT NIGHT IN RIO" (20th Century-Fox)

The perfect picture, not only for the tired business man but for the rest of the world who need entertainment in these depressing days. . . . I think Darryl Zanuck can well be satisfied with this musical for it will bring the shekels into the box-office.—*Louella O. Parsons, Los Angeles Examiner.*

Gay and amusing, tuneful and very pleasing to the eye . . . belongs in the class of nice, light spring entertainment.—*Virginia Wright, Los Angeles News.*

The whole thing lacks sparkle, zest and invention. However, there are several good songs and some of the dancing strikes a fresh note.—*William Boehnel, New York World Telegram.*

Pretentiously dull entertainment . . . a big, boring spectacle that owes next to nothing to Rio and little enough to beguiling showmanship.—*Howard Barnes, New York Herald Tribune.*

Has one of the gayest, silliest plots of the season . . . embraces several grand, lilting tunes. . . . The pace of the film is satisfactory after recovering from a halting, faltering start.—*Lee Mortimer, New York Daily Mirror.*

"THE LADY EVE" (Paramount)

One of the most delightful farces to liven the screen in a long time.—*Newsweek.*

Writer-Director Preston Sturges' third straight comedy hit. It displays a complete set of highly original box-office wiles from the opening moment.—*Time.*

2600 years ago Democracy was born in Greece. For 2600 years the Greeks have kept its flame alive. Today they are fighting to preserve it. Democracy must not die. They want it to live and grow— as much as we do.

That's why we must not let them down. We must give them the allies they so desperately need; the pennies, dimes and dollars which are as important as soldiers.

Adolph Zukor has called upon us in the Amusement Industry to rally to the support of the women and children of Greece— to help — as best we can — the husbands and fathers who are so gallantly struggling.

We are therefore asking for every exhibitor's cooperation in staging special midnight shows, and in making theatre and lobby collections. The campaign is on at this moment and will reach its peak with Greek War Relief Week, March 25th - 30th.

As National Chairman of the Distributors' Committee, I earnestly request the aid of our entire Industry. Today — right now — get in touch with any branch manager or film salesman. He'll tell you what you can do to help.

Remember, the Greeks' fight is our fight!

Gradwell L. Sears

Chairman, Distributors' Committee,
Greek War Relief Association.

Television 'Go' Expected Next Week, for Fall

(*Continued from page 1*)

System Committee reported over the weekend.

The N.T.S.C. at the FCC hearing will recommend definite standards, except in the case of the synchronizing pulse, while the Allen B. DuMont Laboratories will submit a minority demand for permission to all broadcasters to select their own standards and permit the public to decide which method is superior.

Television interests are expected to oppose two major points in the FCC rules at the hearing. These are the requirement for minimum operation of five hours daily, except Sunday, and the limitation of three stations which may be owned by any one company or individual.

The five-hour requirement is expected to find opposition on the ground that telecasters, by judiciously dividing the time, can provide all the television entertainment which the public can be expected to absorb. As for the three-station maximum, it probably will be opposed on the ground that it will interfere with economical network operation. The huge cost of television programing is regarded by television officials as making network operation a virtual necessity.

The agreement on polarization represents the third troublesome point eliminated in recent weeks. The others were disposed of by agreement on 525 lines for black and white and 375 for color, and the decision to standardize all three opposing synchronization methods.

Vertical polarization was favored by its proponents because a vertical aerial is easier and cheaper to install. However, the introduction of FM this year has altered the situation. FM operates on a horizontal basis and if television were to operate with vertical polarization two aerials would be needed instead of one. The agreement eliminates this duplication.

Bill on Television Theatres in Ohio

COLUMBUS, O., March 16.—Theatres showing television will come under the jurisdiction of the Department of Workshops and Factories under the terms of a bill introduced by Representative Ford at the request of P. J. Wood, secretary of the I.T.O. of Ohio. The bill has been approved by the House and awaits Senate action.

Therese Wright Signed

Therese Wright of the New York stage cast of "Life With Father" has been signed by Samuel Goldwyn for a role in "The Little Foxes," which he will produce. Miss Wright will leave for the Coast about the middle of April.

Off the Antenna

GENERAL ELECTRIC has developed a mercury type of television floodlight which produces daylight illumination without the extreme heat created by the large number of incandescent lamps previously required, A. F. Dickerson, lighting division manager, announced over the weekend. The heat from the new lights is only one-fourth of the incandescents, it was said, and over 50 per cent of this reduced heat is carried away by water cooling. The lamps can be moved by remote control to follow the movements of performers.

• • •

Purely Personal: *Louis A. Mindling has joined Columbia Artists as assistant to Herbert I. Rosenthal, executive vice-president. . . . Mary Margaret McBride, heard over CBS, is doing a background series on radio programs during her 3 P.M. period. On Wednesday she will tell about "The Battle of the Sexes," a quiz show heard on NBC-Red. . . . Theodore Granik and Maurice C. Dreicer, who individually have arranged many forums for radio, have organized the Forum Service.*

• • •

Radio executives and performers have received an appeal from the American Committee for the Defense of British Homes asking for contributions of stop watches for blitzkrieg roof spotters. The watches are used to measure the speed of oncoming Nazi aircraft.

• • •

Program News: *Amos 'n' Andy will celebrate their 13th anniversary on the air Wednesday. They are now heard on CBS for Campbell's Soup. . . . Glenn Miller's CBS "Moonlight Serenade" will originate from Hollywood beginning March 25. . . . Tommy Riggs and his "Betty Lou" character return to the air April 17 on NBC Pacific Red network. He will be heard Fridays at 9:30 P.M., PST, sponsored by P. Lorillard Co. . . . Major Bowes will note his seventh anniversary in radio Thursday over CBS. . . . Wythe Williams' program over 99 Mutual stations has been renewed for 13 weeks by American Safety Razor Co. . . . Feenamint has renewed "Double or Nothing" on 117 Mutual stations.*

• • •

Dick Hogue, WHN announcer, was given a farewell party by the station Thursday night on the eve of his induction in the Army. The following day he returned to work—rejected by Army physicians.

I.A. to Represent Locals at Hearing

HOLLYWOOD, March 16.—The I.A.-T.S.E. will represent studio locals at the wages and hours hearing scheduled March 25 for Los Angeles, according to a statement sent the producers' labor relations committee on Friday by George E. Browne, I.A.T.S.E. president.

Brown said the decision was due to the repeated requests of the Hollywood locals. Joseph Padway, counsel, will represent the Alliance.

Meanwhile, the producers' committee announced that employment conditions of all I.A.T.S.E. classifications which were changed on Friday as a result of tentative exemptions by the wages and hours administrator will revert to their former status tomorrow pending final determination.

Oregon Kills Bill to Make Games Legal

SALEM, Ore., March 16.—A Senate measure redefining the state lottery law to legalize chance games in theatres and other places was killed by indefinite postponement late last week when the House adopted a "do not pass" report of its judiciary committee. The measure would have legalized drawings and contests generally when no extra consideration was charged.

Canada Firm Reorganized

TORONTO, March 16.—Colonial Pictures, Ltd., of Toronto has been reorganized for Canadian distribution of Alliance films. Mrs. Joshua Smith, owner of the Avenue and Pylon theatres, is secretary and treasurer, and her son, Jay L. Smith, general manager.

N.Y. Measure Would Tax Gross Incomes

ALBANY, March 16.—A bill giving cities permission to impose one-tenth of one per cent gross tax on income has been introduced in the Legislature by Assemblyman Abbott Low Moffat and Senator Walter J. Mahoney. The measure is similar to the authority New York City possesses, but of a turnover rather than a sales tax nature.

The vending machine tax bill introduced late last week by Senator Edward Coughlin provides specific exemptions for admission turnstiles, which would not be subject to tax.

Assemblyman Harold B. Ostertag on Friday introduced a bill amending the labor law and repealing part of the general business law in intended changes in the licensing and regulation of fee-charging employment agencies.

Georgia House Passes Bill to Change Time

ATLANTA, March 16.—The lower house of the Georgia legislature has passed a reconsidered bill which will place the state on Eastern standard time.

Atlanta is now on Central standard time with daylight saving time in the Summer months. Two-thirds of the state is on Eastern time. Some opposition to the bill in past years has been made by theatre operators. The bill now goes to the Senate where favorable action is expected. The House killed the bill earlier in the session.

Metro Buys 'Pulham'

HOLLYWOOD, March 16.—M-G-M has purchased screen rights to "H.M. Pulham, Esquire," new novel by J. P. Marquand. It originally was published as a serial in *McCall's Magazine*.

FCC Warns of Private Deals On Frequency

WASHINGTON, March 16.—Broadcasters were warned by the FCC Friday that they must no attempt to deal directly [illegible] the owners of stations in neig[illegible]ring countries or with officials of those countries on matters having to d with the allocation of frequencies.

The warning was the result of reports that some broadcasters were discussing proposals for changes of frequencies with broadcasters in Canada, Cuba or Mexico to eliminate interference.

The FCC pointed out that private negotiations might prove embarrassing to the U. S. Government and might jeopardize any internationa negotiations in progress. All negotiations, it said, should be conducted through official sources and the matter should be presented to the FCC which would make appropriate representations through diplomatic channels if required.

It was explained that the caution relates only to frequencies and has no effect on negotiations concerning the exchange of programs among the various countries.

Connecticut Station Approved by F.C.C

WASHINGTON, March 16.—A construction permit for a new 1,370-kilocycle, 250-watt broadcasting station at Stamford, Conn., has been issued to Stephen R. Rintoul by the Federal Communications Commission

The commission also ordered a hearing on the application of the Piedmont Publishing Co., Winston Salem, N. C., for a construction permit for an FM station on 46,700 kilocycles, to cover 4,600 square miles.

Ruppel in Hollywood On Publicity Plans

HOLLYWOOD, March 16.—Louis Ruppel, director of publicity for CBS, is scheduled to arrive here tomorrow for a week of conferences on West Coast publicity plans for the network. He will meet with Hal Rorke, head of the publicity department here, and other CBS executives. Ruppel will be tendered a press luncheon Wednesday.

New Madison Transmitter

MADISON, Wis., March 16.—Construction of a new transmitter for WIBA will be started within the next few weeks on a 20-acre site, station officials said over the weekend. WIBA recently received permission to increase its power from 1,000 to 5,000 watts.

Roland Young Here

Roland Young, who has the title role in "Topper Returns," Hal Roach production released by United Artists, is in town for a brief vacation before returning to the Coast for another picture assignment. He is expected to leave here next Saturday.

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British Gov't Asks Industry Realignment

Requests Trade Study to Revamp Methods

By AUBREY FLANAGAN

LONDON, March 17.—The British Board of Trade, official Government agency, has requested the Cinematograph Exhibitors Association and the Kinematograph Renters Society (distributors) to consider overhauling jointly the whole physical process of the distribution and exhibition of British films.

The effect of such a revision of the method of handling distribution and exhibition of films here as is apparently proposed, on American companies, is not immediately evident, according to observers.

It appears that if the Government aim is to increase the availability of product to English independent houses, there should be increased inducement to American companies to produce in this country, or to provide product.

This may be especially true, it is said, if the revision by the English Government should involve changes in

(*Continued on page* 4)

Hold Quigley Awards Presentation Today

HOLLYWOOD, March 17.—E. C. Callow of Warners' Philadelphia Theatres and J. R. Wheeler, manager of Great States' Granada Theatre, South Bend, Ind., winners of the 1940 silver and bronze plaques, respectively, awarded by Managers' Round Table of *Motion Picture Herald*, will receive their awards in a presentation ceremony here tomorrow.

The awards will be made formally at a luncheon at the Beverly-Wilshire Hotel, with Walter Wanger, president

(*Continued on page* 4)

Ask Censor Unit For San Antonio

San Antonio, March 17.—A petition presented to the City Council asks enactment of an ordinance providing a local censor board for all amusements. The petition urges a board of nine members, with not more than three nor less than one to be paid.

B'way Box-Office Improves; $48,500 For 'Doe' in 5 Days

The wake of the surprise storm which took a heavy toll of life in the West and Northwest on Sunday blew into New York yesterday, accompanied by a sharp drop in temperature which did not help business. The cold is expected to continue.

Good weather helped improve grosses at Broadway film theatres over the weekend. Practically all of the houses showed to larger Saturday and Sunday business than the previous weekend, when the local area was ripped by a blizzard.

Some of the theatres also claimed to have benefited yesterday by the huge St. Patrick's Day parade on Fifth Avenue. Marchers and watchers alike are described as filling the theatres yesterday at the conclusion of the exercises, in which about 25,000 participated, with the spectators estimated at more than 100,000.

"Meet John Doe," being shown at the Rivoli and Hollywood theatres, grossed about $48,500 on its first five

(*Continued on page* 6)

Herron Is Called For Duty with Army

Frederick L. Herron, treasurer and head of the M.P.P.D.A. foreign department, will report for duty today at the Adjutant General's office in Washington. He is a lieutenant colonel in the regular Army reserve.

No successor to Herron has been named and it is believed likely that action in this regard will await the annual meeting of the M.P.P.D.A. board on March 31.

Theatres Shelter Blizzard Victims

Minneapolis, March 17.—Many theatres throughout North Dakota and Minnesota remained open all night to accommodate stranded patrons when a sudden blizzard whipped through the area over the weekend. Some of the houses served coffee and doughnuts. Among them were: the Grand, Crookston, Minn.; Forks, Paramount and Dakota, Grand Fords, N. D.; Fargo, State and Grand, Fargo, N. D., and Gem, Hillsboro, N. D.

Five New Cases In Arbitration; Two in Albany

Five new arbitration complaints were filed yesterday. Two were brought in Albany on clearance, naming the Schine Circuit; two in Minneapolis over inability to obtain "some run," and one in St. Louis on clearance.

David Gillman, operator of the Gaiety, Minneapolis, filed both complaints with the local board there. In the first he asked some run from 20th Century-Fox and in the second some run from Paramount.

Papayanakos Files Two Complaints in Albany

ALBANY, March 17.—Two arbitration complaints, the first for the local board here, were filed today by Alex

(*Continued on page* 4)

U. S. Drops 'Big 5' from Schine Anti-Trust Suit

BUFFALO, March 17.—Federal Judge John Knight today granted the Government's motion to dismiss the "Big 5" consenting companies from the Federal anti-trust suit against the Schine Circuit and distributors pending in U. S. District court here.

Thomas Penney, Jr., local attorney for the Schine interests, said following the hearing that no word has been received as to whether or not the Government intends to proceed against the circuit or has come to an agreement with it on a consent decree.

Department of Justice officials in Washington last week said that it

(*Continued on page* 6)

Mrs. Hal Roach Dies; Services Tomorrow

HOLLYWOOD, March 17.—Funeral services will be held Wednesday morning for Mrs. Hal Roach, wife of Hal Roach, who died early this morning at Good Samaritan Hospital of pneumonia. The service will be held at the Church of Good Shepherd in Beverly Hills.

Mrs. Roach was taken ill about a week ago, on her return from vacation in Honolulu. The couple had two children, Margaret, 19, and Hal, Jr., 22.

RKO Releasing 'Citizen Kane' Trade Hears

Announcement Expected Within Few Days

RKO will release "Citizen Kane," it was reported in high trade circles yesterday. The distribution terms under which the picture will be offered to exhibitors, however, have not been revealed. It is reported that the company will make its first official expression publicly in regard to the film within the next few days.

George Schaefer

There have been many reports published that RKO might shelve the film, but the company officially has not stated its intention, so far, one way or the other.

George J. Schaefer, president of the company, with others of the firm's

(*Continued on page* 4)

Universal Officers Are All Reelected

All officers of Universal Pictures Co., Inc., were reelected at an organization meeting of the board of directors held at the home office yesterday.

Officers are: J. Cheever Cowdin, chairman; Nate J. Blumberg, president; Charles D. Prutzman, W. A. Scully, J. H. Seidelman, Cliff Work and Matthew J. Fox, vice-presidents; Samuel Machnovitch, treasurer and assistant secretary; Peyton Gibson, secretary; Eugene F. Walsh and Harold Brewster, assistant treasurers, and Edward Muhl, assistant secretary.

In Today's Issue

Five reviews: "Inspector Hornleigh Goes to It," "The Ghost Train," both from London, Page 4; "Double Date," "Chamber of Horrors," "The Mad Emperor," Page 5. Short subject reviews, Page 6. Late Coast flashes, Page 2.

Canada's War Film Cost Was $70,000

Toronto, March 17.—The Canadian Director of Public Information, in charge of the dissemination of official war propaganda, spent $70,000 for motion pictures during the six months ending last December, according to official announcement. The prints, which were produced by private companies and Government technicians for release through the National Film Board, were made available to theatres on a rental basis as well as to non-theatrical organizations.

Para. Session Here On Selling of 'Wings'

Paramount district managers will meet with home office executives at the Waldorf-Astoria Hotel here March 27 to discuss promotion and exploitation plans for "I Wanted Wings," Neil F. Agnew, general sales manager, announced yesterday. The men will attend the opening of the film at the Astor Theatre the night before.

District managers who will attend are: William E. Erbb, Boston; Harry H. Goldstein, Cleveland; E. W. Sweigert, Philadelphia; Allen Usher, Chicago; R. C. LiBeau, Kansas City; Hugh Braly, Los Angeles; Hugh Owen, Dallas; J. F. Kirby, Atlanta, and Dell Goodman, Canada. The new Denver district manager, whose name will be announced shortly, and M. S. Kusell, New York district manager, will also take part in the meeting.

'Chins Up' Rowland's Next Film for U. A.

CHICAGO, March 17.—"Chins Up," will be the title of one of Richard Rowland's newly contemplated productions for United Artists release, the producer stated on his arrival here en route to New York to confer with Maurice Silverstone, U.A. chieftain. The picture will have a British background.

Boris Morros, Paramount producer, was on the same train. Morros expects to return to the Coast about May 19 to start on a new musical film, "Tales of Manhattan." While in Chicago, Morros visited John Balaban, B. & K. chieftain, and Maurice Leonard.

Leaves Canada Circuit

ST. JOHN, N. B., March 17.—Arthur A. Fielding, for 16 years general manager of the F. G. Spencer Co., operating 21 Canadian theatres, leaves that circuit next month. Fred G. Spencer, president, has named his son, F. Gordon Spencer, to succeed Fielding, who plans his own circuit.

Seltzer Joins AMPP

HOLLYWOOD, March 17.—Frank Seltzer, has resigned as publicity director for Hal Roach to join the Association of Motion Picture Producers as assistant to Jock Lawrence, who is assistant to Y. Frank Freeman, association president.

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, leaves for the South tomorrow.

•

A. W. SMITH, JR., RKO sales manager, returned yesterday from a tour of several Southern branches.

•

WILLIAM WOBBER, brother of Herman Wobber, 20th Century-Fox distribution chief, has been elected president of the San Francisco Board of Police Commissioners.

•

CHARLES KESSNICH, district manager for M-G-M in Atlanta, has returned from Florida.

•

HENRY NASSER, manager of the Royal, San Francisco, has been elected president of the Polk-Van Ness-Larkin District Merchants Association there.

•

TOBY ROSS, manager of Schine's Elmwood in Penn Yan, N. Y., has been cited by the local American Legion for community service.

•

DON HANCOCK, DOUGLAS ROTHACKER, HORTENSE SCHORR, MAURICE FREEMAN, CHARLES BONN, WALTER FUTTER and MILTON SILVER having lunch yesterday at the Tavern.

•

JACK KERFOOT of the 20th Century-Fox publicity department and MAE MCNALLY have announced their engagement.

•

RUTH CALECHMAN, daughter of BARNEY CALECHMAN of the Howard Theatre, New Haven, has become engaged to LIEUT. CYRUS STEPHSON of New Haven.

COL. WILLIAM J. DONOVAN is scheduled to arrive by Clipper this morning from Europe.

•

TOM CONNORS, GEORGE SKOURAS, SAM SHAIN, ELLIOT JANEWAY, TOBY GRUEN, OWEN DAVIS, CHARLES E. MCCARTHY, MAX A. COHEN, EDWARD SAUNDERS, MORRIS KINZLER, MAX DREYFUS, RICHARD RODGERS, LOU DREYFUS, JOHN W. HICKS, GEORGE WELTNER and RUSSEL HOLMAN lunching yesterday at Nick's Hunting Room in the Astor.

•

BARNEY BALABAN, ADOLPH ZUKOR, ARTHUR LOEW, SIDNEY PHILLIPS, VINCENT TROTTA, LEE SHUBERT, MORT SPRING, LAUDY LAWRENCE at Sardi's yesterday for lunch.

•

HAL HORNE, GEORGE BURNS, CHARLES STERN, CLARENCE EISEMAN, FREDRIC MARCH and FLORENCE ELDRIDGE having lunch at Lindy's (51st St.) yesterday.

•

EMANUEL SILVERSTONE, BEN BERNIE, MONROE GREENTHAL and SEYMOUR POE lunching at Lindy's (next to the Rivoli) yesterday.

•

HARRY HAYNES, JR., Universal exchange booker in St. Louis, will be inducted in the Army this week.

•

WILLIAM WYLER arrived in New York yesterday from the Coast.

•

LILLIAN HELLMAN has returned from Washington.

•

W. M. HORNE of RKO has returned from a two-week Caribbean cruise.

Late News Flashes from the Coast

Hollywood, March 17

HERMAN WOBBER, 20th Century-Fox director of distribution, arriving today from the East, said that the company is enjoying its biggest three months' business in years for the present quarter. Wobber said he found general theatre attendance increasing strongly during his tour of exchanges en route to the Coast. "The public wants music and comedy in its film entertainment, and the producers are hitting the keys of public taste," he declared.

• •

Six international labor unions in the studio basic agreement today filed through Francis Carothers, secretary of Motion Picture Internationals' Committee, written notices of protest before the wages and hours division over reclassifications affecting workers in key positions and other changes. Involved in the protest are teamsters, electrical workers, carpenters, musicians, laborers and plasterers. Other subjects of discussion will be distant location rates and conditions long since established by contractual agreement dating back as far as 1928.

• •

Having accumulated $800,000 in its building fund, the Motion Picture Relief Fund today announced completion of negotiations for the purchase of property for erection of a new rest home. It will be located near the town of Calabasas, immediately east of Warner Brothers' ranch on the south side of Ventura Blvd. William Pereira, Paramount studio architect, has volunteered his services in designing the building and is at work on the plans in cooperation with the Screen Set Designers Guild. The fund has been acquired through proceeds of the Gulf Oil Co.'s Screen Guild radio show.

• •

Frank Lloyd, producing for Universal release, today purchased "River Lady," unpublished novel by Houston Branch. He is reported to have paid $50,000 for the story.

• •

Another acquisition was by Republic, which announced it paid $17,500 for "Mercy Island," a novel by Theodore Pratt. John Wayne will be starred in it. A camera crew will leave shortly for Florida to make background shots.

• •

M-G-M today signed Roy Del Ruth to a term contract as director. He formerly was with the company in the same capacity.

800 Special Shows In Greek Campaign

More than 800 theatres will hold midnight benefit performances during Greek War Relief Week, from March 25 to 30, according to Gradwell L. Sears, chairman of the distributors committee, and John H. Harris, chairman of the exhibitors committee. It is expected that more than 6,000 theatres through the country will p[illegible]ticipate in the drive.

Detroit will stage one of the [illegible] benefits at the Fox Theatre March 24, with tickets scaled to a $5 top. Detroit city officials are cooperating.

More than 400 theatres in the Philadelphia area pledged aid to the drive, following a meeting at the Bellevue Stratford Hotel late last week. Approximately 35 theatres in that area will hold special benefit shows. Cleveland will stage two benefits March 26, at Loew's State and the RKO Palace. More than 100 houses in the Atlanta area are scheduled to hold midnight shows.

Montana ITO Names Moore as President

BUTTE, MONT., March 17.—Joseph B. Moore of Havre, Mont., has been elected president of the I. T. O. of Montana. Other officers are: Jack Sauckstorff, vice-president; Herbert Bonifas, secretary-treasurer. Directors are Lloyd Sissel, Jens Hansen, B. F. Soutter, Frank Faust, Rex Flynn and Clarence Severson. The organization will meet at Billings, Mont., on May 15.

Helprin Returns to Position with Korda

Morris Helprin, who has been on a six-month leave of absence from his duties with Alexander Korda, resumes his post with the Korda organization today. Helprin has been engaged in legitimate production during his leave of absence.

Indiana Exhibitor Dies

MITCHELL, Ind., March 17.—Lowell T. Moore, 46, owner and operator of the Orpheum Theatre here, died at his home Sunday night of heart disease. He was chairman of a local drive to care for Ohio River flood refugees in 1937.

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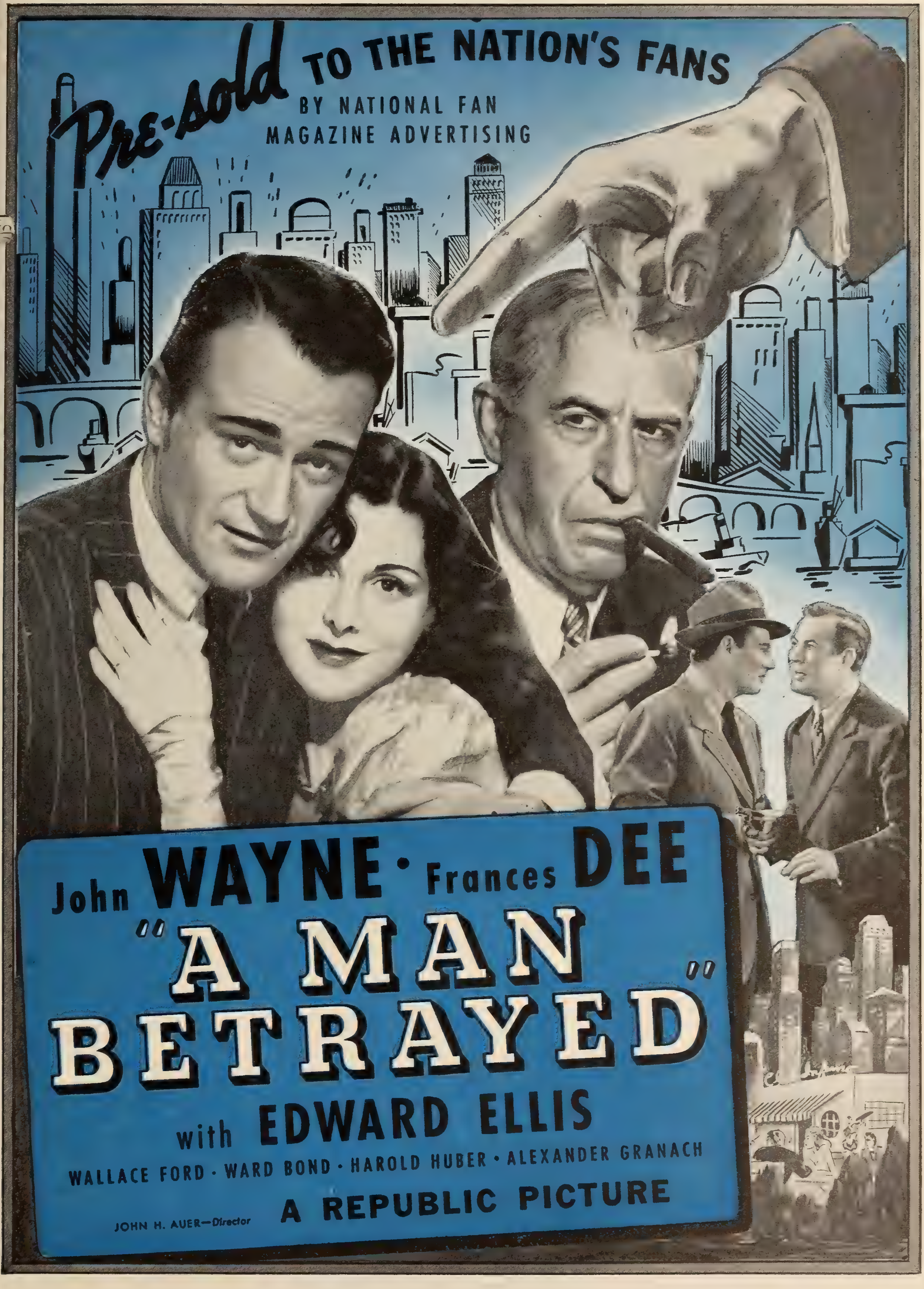

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A REPUBLIC PICTURE

RKO Releasing 'Citizen Kane' Trade Hears

(Continued from page 1)

executives have been studying the "Citizen Kane" situation lately on the Coast. Observers believe that the publicity which the picture has attracted and the controversy which has been going in some sections of the daily press and the magazines of the country have helped to focus unusual public attention on the film.

There is no indication from any official source that the picture will reach the screen with any deletions.

Only last week, Orson Welles, chief figure both in the screen version and in the newspaper controversy on the film, issued a statement that he would sue RKO to bring about a release of the picture, to which serious objections were reported to have been registered by William Randolph Hearst, noted publisher.

Hearst is plaintiff in a suit which is now pending against *Friday*, a weekly magazine, in connection with certain publicity given the picture in that periodical.

A national magazine advertising campaign has been under way on the film, for several weeks. This was prepared by the Donahue & Coe agency.

Schaefer Reported Coming East

HOLLYWOOD, March 17.—George J. Schaefer, president of RKO, is reported planning to leave here by plane Wednesday for New York, where he is due Thursday.

Warner Executives Off to Studio Today

Warner home office executives will leave today for the Coast for studio conferences at which the 1941-'42 program will be discussed. In the group will be Gradwell L. Sears, general sales manager; Carl Leserman, assistant general sales manager; Mort Blumenstock, in charge of advertising and publicity in the East; Ben Kalmenson, Southern and Western sales manager, and Sam Schneider.

Conferences will be held with H. M. Warner, president; Jack L. Warner, vice-president in charge of production; Hal B. Wallis, associate executive in charge of production, and S. Charles Einfeld, director of advertising and publicity. The New York executives expect to return in about two weeks.

'Hopkins' Opening In St. Louis April 4

ST. LOUIS, March 17.—Campaign in connection with the world premiere of Republic's "Sis Hopkins," starring Judy Canova, at the 5,000-seat Fox here April 4 was developed last week by William Saal, Republic studio representative, and Les Kaufman, Fanchon & Marco local advertising director.

Saal was in town last week and is scheduled to return this week for further conferences, Jack Van Pelt, St. Louis publicity man, has been engaged for special exploitation on the campaign.

London Reviews

"The Ghost Train"

(Gainsborough-G. F. D.)

London, March 5 (*By Mail*)

PROBABLE radio favorite number one in wartime Britain is pint-sized Arthur "Big Hearted" Askey. Not the least popular mystery play is Arnold Ridley's "The Ghost Train," already filmed more than once. The blending of these two sound entertainment factors has resulted in a film likely to break blitz records in Britain. It would be a good film with anyone. With the irresistible comedy leprechaun Askey it is what is known in darts-playing circles as a "double top."

The story concerns a ghost train which the villagers in a remote corner of Cornwall believe runs through the junction. A modern twist is given the drama by the discovery that there is such a train, used by Fifth Column gun runners. The whole yarn is set in the deserted railroad station of Fal Vale and revolves around the reactions of some stranded passengers—and ultimately the train, and its origins. It is a mystery yarn of course, and Walter Forde, director, has put plenty of suspense and eerie atmosphere into it. But it is an Askey film, and the treatment is 85 per cent comedy with the mercurial gnome gagging, cavorting, leg-pulling and occupying the spotlight practically the whole time.

Askey's teamster, Richard Murdoch, does an excellent job as a suave and polished foil. Kathleen Harrison's portrayal of a spinster who eventually falls victim to the brandy bottle is another distinct asset.

Running time, 83 minutes. "A."* AUBREY FLANAGAN

"A" denotes adult classification.

"Inspector Hornleigh Goes to It"

(Gainsborough-G. F. D.)

London, March 5 (*By Mail*)

PREVIOUS adventures of Inspector Hornleigh, whose fame was born on the radio, have been immensely popular with the bread and butter audience, certainly because of the excellent team work of Cockney Gordon Harker as the Inspector and Scots Alistair Sim as his blundering Sergeant Bingham. A like popularity is assured for this new adventure which upholds the production and comedy standards set by its predecessors.

This time the sleuths sent to cover a robbery in the 1941 Army, tumble on a Fifth Column network, and discover in a dental surgeon a dangerous spy, and in his "patients" a chain of sinister associates. The business of linking up the clues is well done, and the climax aboard a mail train has plenty of crisp and crackling action. The treatment, however, is for the most part comedy, with the conflict between the acidulous Cockney and the dour Scot exploited to the full. Harker's pose as a history master in an evacuated school and Sim's compulsion to act as dentist to a determined client are the best episodes in the picture. It is not necessarily Harker who gets all the laughs.

Photography and cutting are competent and the script work leaves no room for criticism. Walter Forde's direction is as sound with the drama as it is with the fun.

Running time, 87 minutes. "G."* AUBREY FLANAGAN

"G" denotes general classification.

Neidhart Testifies In Schenck Trial

Enrique Neidhart, manager of the Agua Caliente Hotel, testified in Federal District Court yesterday during the trial of Joseph M. Schenck that the hotel became practically worthless in 1935 when the Mexican Government banned gambling.

After the sale of Schenck's interest in the hotel to Roland West, the defendant made no effort to control the policy of the hotel, the witness said. The Government is claiming that the transaction was a "wash sale," made for the purpose of taking a loss so that Schenck could claim a deduction on his tax return. Schenck purchased the hotel for $403,000, sold it to West for $50,000, and claimed a loss of $170,000.

Mathias F. Correa, U. S. Attorney, brought out that in 1937 the assets of the hotel were listed at $4,150,623 and liabilities at $3,358,000, but on cross-examination Neidhart said that this value was merely a book value.

Hold Quigley Awards Presentation Today

(Continued from page 1)

of the Academy of Motion Picture Arts and Sciences, acting as toastmaster. Other studio executives will address the luncheon, as will A-Mike Vogel, chairman of the Managers' Round Table.

The two winners will be entertained here for a week as guests of Quigley Publications by a committee of studio publicity heads.

Seek Met Exemption

ALBANY, March 17.—Senator Frederic R. Coudert and Assemblyman Abbot Low Moffat introduced legislation tonight to exempt from taxation the Metropolitan Opera House, New York City, excepting for those parts of the building which are used commercially.

British Gov't Asks Industry Realignment

(Continued from page 1)

the present restrictions on monetary withdrawals as an added inducement to the flow of badly needed Ameri product.

The Government request came as a consequence of the C.E.A. plea for a reduction of the exhibitors' quota percentages. It is understood to be the Board of Trade belief that greater playing time is possible for quota films in independent theatres if restrictions are limited and single features and weekly program changes could be brought about.

This latter is in sequel to the protest of independent exhibitors that the circuits control the market.

The K.R.S. will meet tomorrow and the C.E.A. in the near future, which sessions will be followed by a joint meeting prior to the preparation of a memorandum to the Government on the proposal. The problem is complicated since the circuits hold the key to the situation, and it will necessitate a comprehensive study and long discussions, trade observers believe.

The whole plan is seen in trade circles as in line with the Government intention of taking a closer interest in industry affairs, with the Ministry of Information playing a dominant part.

Five Arbitration Complaints Filed

(Continued from page 1)

Papayanakos, head of American Theatres, Canton, N. Y.

The first complaint was against RKO and the second against Warners. Papayanakos charges in both that the distributors grant unreasonable clearance to the Schine Circuit's Strand and Pontiac in Ogdensburg over the complainant's American in Canton. He asserts that while only 14 days clearance is specified, in some cases the Schine houses do not use films until 60 to 90 days after release.

ST. LOUIS, March 17.—The Shirley Theatre Corp. of Cape Girardeau filed a clearance complaint against RKO with the local board here today. The company operates the Rialto in that city.

The complaint charges that RKO is giving the Broadway and Orpheum, Cape Girardeau houses operated by Fox Midwest, unreasonable clearance over the Rialto and asks the arbitrator to make a revision in its favor.

The complaint is the second on file here.

Briefs to Delay Chicago Decision

CHICAGO, March 17.—Attorneys for Loew's and E. F. Vanderveer, operator of the State, Morris, Ill., were directed to file briefs concerning the theatre's arbitration complaint for "some run" against Loew's, a hearing on which was held here Saturday before Charles Zane Hinkle, arbitrator, As a result, a decision in the case may be delayed for several weeks.

Interest High in Educational Films

St. Louis, March 17.—Children are more interested in educational films than in Hollywood glamor pictures, W. N. Sellman, principal of Harris Teachers' College of St. Louis, said in a radio interview last week. Schools, he added, select films that fit their individual interests, "and I don't think we need to worry about competition with Hollywood." Amelia Meissner, curator of the schools' Educational Museum, reported improvement in the quality of educational films.

'Hamilton' Opening On Coast Tomorrow

HOLLYWOOD, March 17.—The world premiere of "That Hamilton Woman," produced by Alexander Korda for United Artists release, will be held at the Four Star Theatre here Wednesday evening, as a benefit for the British Royal Air Force Development Fund.

Tickets for the opening are priced at $5, and the theatre is reported to be sold out. Vivien Leigh and Laurence Olivier, the stars, are in England. Among the Hollywood personalities who already have purchased tickets to the opening are:

Basil Rathbone, Ronald Colman, Alexander Korda and Merle Oberon, Douglas Fairbanks, Jr., Herbert Marshall, Charles Chaplin, Harry Warner, Bing Crosby, Charlotte Greenwood, Gary Cooper, Greer Garson, Sir Charles and Lady Mendl, Mary Pickford and Buddy Rogers, Alan Curtis and Ilona Massey, Alan Mowbray, Halliwell Hobbes, Herbert Wilcox and Anna Neagle, Olivia de Havilland, Claudette Colbert, Ian Hunter, Vincent Korda, William Wyler, Victor Saville, Samuel Goldwyn, David O. Selznick, Edward Small, Jack Benny and Mary Livingstone, Julien Duvivier, Ernst Lubitsch, Burgess Meredith, May Robson, Sir Cedric Hardwicke, Dame May Whitty, Nigel Bruce, Norma Drury, Harry Cohn, Ronald Sinclair, Watterson Rothacker, Richard A. Rowland, Sara Allgood, Hal Roach, Gladys Cooper, Walter Wanger and Joan Bennett.

Drafted Employes To Get Col. Bonus

Columbia will give employes called for military service two to four weeks pay, depending on length of service with the company, and will reinstate them on application at the end of a one-year leave of absence, the company stated yesterday.

Premiums on group life insurance of trainees will be paid by the company for the one-year period if the United States does not enter the war. Two weeks salary will be paid to employes who have been with the company one year; three weeks salary to those with the company at least two years, and four weeks salary to those with the company three years or more, with a maximum of $400 to any individual.

Feature Reviews

"The Mad Emperor"

(*Farkas-World*)

HARRY BAUR has been cast in another impressive role, this time as Paul I, who followed Catherine on the throne of Russia. This French film was produced by Nicolas Farkas in Paris just before the war, according to World Pictures, which is releasing the film here. English titles are adequate.

Although no modern parallel is drawn, the film points out the consequences when a madman becomes a despot. Paul I came into power as a result of intrigue against his mother, Catherine the Great. Upon his ascension, he launches a reign of terror among the people. His private life is evil. Finally, his ministers conspire to remove him, and his son (Gerard Landry) joins the conspiracy, which ends in the Emperor's assassination.

In supporting roles are Paul Renoir who, as the Emperor's most trusted minister, leads the conspiracy, and Suzy Prim, who undertakes to spy on the Czar but ultimately comes to love him. Colette Darfeuil, as Paul's inamorata, also provides a convincing performance. A highlight of Baur's performance is his interpretation of a despot whose constant fears of assassination drive him to the verge of insanity. Maurice Tourneur directed.

Running time, 89 minutes. "A"* EDWARD GREIF

"A" denotes adult classification.

"Double Date"

(*Universal*)

Hollywood, March 17

THE story of Universal's "Double Date" deals with the efforts of a boy and a girl conspiring to stop the romance of the former's father with the latter's aunt. Utilizing a patent formula for producing laughs, which includes reports of stolen cars, holdups, and elopements, in which the so-called "chase" element becomes highly involved in the plot, the story sees the boy and the girl become friends and the pair of the older generation getting married.

Edmund Loew and Una Merkel play the father and the aunt, respectively, with Peggy Moran and Rand Brooks assaying the roles of the younger pair. Others in the cast are Tommy Kelly, Hattie Noel, Eddy Waller, William Ruhl, Sam Flint, Pat O'Malley, Joey Ray and Charlie Smith.

Glenn Tryon directed this Joseph G. Sanford production.

Running time, 60 minutes. "G"* VANCE KING

"Chamber of Horrors"

(*Monogram*)

THIS is an eerie murder mystery, produced simply by John Argyle in England, with an all-British cast working under the direction of Norman Lee. The story is of the will of a Briton of note and a conspiracy to deprive the rightful beneficiary of the estate, a familiar theme often handled with greater effect.

Leslie Banks has the lead as one of the conspirators, and although he and Romilly Lunge, as a detective, handle their roles ably, the other supporting players are not too convincing. This is particularly so in the highly melodramatic sequences. As a result a mid-afternoon audience at the New York Theatre on Broadway refused to take seriously the entire film and found many of the tense circumstances on the screen amusing rather than, as intended, suspenseful or exciting.

Running time, 80 minutes. "G."*

"G" denotes general classification.

Plans Butte Benefit For Men in Service

BUTTE, MONT., March 17.—William Woolfall, manager of the Montana Theatre here, plans a special program from April 5 to 9 as the chief feature of the campaign of the Silver Bow Club, No. 88, of the Navy Mothers of America, to raise $1,000 for comforts for local men in the service. The money will be pooled in a national fund. A feature and several shorts will comprise the program.

Pre-Suit Quiz for Warner, Bernhard

H. M. Warner is scheduled to be examined before trial here on March 21 and Joseph H. Bernhard today in the anti-trust suit against the company pending in Federal court at Philadelphia which was brought last year by Lansdowne Amusement Co., two other corporate and seven other individual plaintiffs. Notices of examination were filed in U. S. District court here yesterday.

Of 42 Pictures In Work, Ten Are at Metro

HOLLYWOOD, March 17.—Forty-two pictures were before the cameras this week, with M-G-M the busiest studio, having 10 in work. A total of eight pictures were finished, with seven starting. Twenty-one are being prepared, and 63 are being edited.

The tally by studio:

Columbia

Finished: "Naval Academy."

In Work: "Senate Page Boys," "Time Out for Rhythm," "Return of Daniel Boone."

M-G-M

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde," "The Uniform," "Lady Be Good," "Washington Melodrama," untitled Dr. Kildare.

Started: "Man from the City."

Monogram

Finished: "Tumbledown Ranch in Arizona."

Started: "Widows of the Press."

Producers Releasing

Started: "South of Panama," "Billy the Kid's Trigger Pals."

Paramount

Finished: "Little Miss Muffet."

In Work: "Skylark," "Pioneer Woman," "Hold Back the Dawn," "Night of January 16th."

RKO

In Work: "Sunny," "Before the Fact," "Tom, Dick and Harry," "My Life with Caroline," "Hurry, Charlie, Hurry," "A Certain Mr. Scratch."

Republic

Finished: "Pals of the Pecos."

In Work: "Rookies on Parade," "Lady from New Orleans," "Singing Hills."

20th Century-Fox

In Work: "Blood and Sand," "The Great American Broadcast," "Miami."

Started: "Man Hunt."

Universal

Finished: "The Black Cat."

In Work: "Unfinished Business," "Cracked Nuts," "Horror Island," "Sandy Steps Out."

Started: "Mutiny in the Arctic," "Sing Another Chorus."

Warners

Finished: "The Bride Came C. O. D.," "Highway West," "Three Sons O'Guns."

In Work: "Sergeant York," "The Gentle People," "Underground."

'Dictator' Chaplin's Biggest, Says Kelly

According to Arthur W. Kelly, vice president in charge of domestic distribution of United Artists, "The Great Dictator," starring Charlie Chaplin, is the biggest grosser in the actor's acreer. Kelly stated that his opinion is based on the box-office returns of the film since it started on its popular run in several key cities.

(*Editor's Note: For grosses on this picture as well as all others, watch* MOTION PICTURE DAILY'S *week-to-week box-office reports from principal cities.*)

B'way Box-Office Improves; $48,500 For 'Doe' in 5 Days

(*Continued from page* 1)

days. The Rivoli, with a capacity of more than 2,000 seats, about 500 seats more than the Hollywood, garnered the major share, or about $31,000. The twin theatre showing, officials assert, will be continued for at least two weeks, while the Rivoli run is for a long and indefinite stay.

"Andy Hardy's Private Secretary," makes way for "Rage in Heaven," at the Capitol on Thursday, after a two-week run with an estimated $36,000, of which about $20,000 was garnered the first week.

"Cheers for Miss Bishop" at the Radio City Music Hall, with a stage presentation, is doing a nice business, grossing about $53,000 on the first four days. It will be followed on Thursday by "Adam Had Four Sons," Columbia feature. "That Night in Rio" at the Roxy, with a stage show, hit the box-office for an estimated $22,000 over the weekend. At the Strand, "Footsteps in the Dark," Warner Bros. film starring Errol Flynn, will leave Thursday night after a week's run to make way for "The Sea Hawk." The Flynn film with the help of the stage show grossed about $18,000 on its first three days.

At the Paramount, "Lady Eve" has finally elected to depart after a three-week run and will make way on Wednesday for "Las Vegas Nights," with Allan Jones and Ina Ray Hutton on the stage. "Lady Eve," is having an uncommonly good third week, grossing an estimated $20,000 for the weekend, and on the week is estimated for a minimum of $32,000.

Ground Broken for Theatre in Trenton

An announcement made yesterday states that ground has been broken on Brunswick Ave. in Trenton, N. J., for a new 1,000-seat theatre. According to RKO officials, this theatre is being built by the Trenton New Brunswick Theatre Co., in which RKO Theatres owns a 50 per cent interest. Walter Reade and the Frank Storrs estate own the other 50 per cent. William I. Hohauser is the architect. H. D. Best McCaffery Co., it is stated, will build the house.

Churchill Attends 'Uncle Sam' Showing

Prime Minister Winston Churchill found time Sunday evening to attend a film showing at the London home of Lord Beaverbrook, minister of aircraft production and London newspaper publisher. The program included March of Time's "Uncle Sam—The Non-Belligerent." Lord Beaverbrook yesterday so advised March of Time officials here by cable.

Fire Damages Theatre

HARRISBURG, Pa., March 17.—Fire which swept through the business section of Millerstown, Pa., today did damage estimated at several thousand dollars to the Millerstown Theatre, owned by Peter Shenk.

Short Subject Reviews

"Stranger Than Fiction, No. 88"

(*Universal*)

The subject matter here is formed of a group of items, which, although not too unusual, make the short an entertaining addition to the series. It concerns fish flies, a hotel constructed with driftwood, the use of lye and water as automobile fuel, mosaic pictures made up of postage stamps and a young contortionist. Running time, 9 mins.

"High Spots in American History"

(*Universal*)

This cartoon burlesques in funny fashion various historical events such as Columbus discovering America, the landing of the Pilgrims and Paul Revere's ride. Some of the gags fall flat. This is especially so with two of its characters, Brenda and Cobina, who are continually in search of men. Running time, 7 mins.

"Stranger Than Fiction, No. 87"

(*Universal*)

The usual array of six subjects, some moderately amusing and fairly interesting, are presented in the same style as were those in this subject's 86 predecessors. On view are miniatures of famous shrines and churches, a unique device for protection against a cow's wagging tail, a well that spouts flames, a feminine railroad worker, the making of muzzle-loading rifles and a pet bird which does somersaults. Running time, 9 mins.

"Going Places, No. 88"

(*Universal*)

A tour of various deserts in the United States makes for an interesting travelogue. The colored sands in a Maine desert, dune-skooter riding in Michigan, the white sands in New Mexico and California oases are depicted. Running time, 9 mins.

"Greece Fights Back"

(*March of Time-Paramount*)

Prepared by March of Time, this subject is a panorama-like account of Greece's war activities, giving glimpses of many branches of her fighting forces in action and in movement, as well as telling views of the civilian population in wartime.

It compresses into comparatively brief footage a comprehensive picture of Greece's tremendous task in defending herself, conveys something of the spirit of the Greek people which has made possible the nation's brave stand in past months, and makes clear the need for immediate further aid to Greece. Proceeds from rentals of the film will be contributed for Greek war relief. Running time, 7 mins.

"Australia at War"

(*March of Time-RKO*)

This graphically surveys Australia's position in the war, giving attention to the Commonwealth's resources and its aid to the mother country, depicting the victorious Anzacs in Africa and the supplies sent to England. It lays stress on the relative proximity to Japan and illustrates the forces which an aggressor would encounter. The film also notes the significant locations of other islands in the Pacific, including Hawaii, Singapore, the Philippines and the Dutch East Indies. The study is thorough and instructive and should be of interest to every war observer. The subject is presented forcefully. Running time, 18 minutes.

"Fishing Fever"

(*Paramount*)

Here we see many interesting people engaged in fishing for trout, bass and whatever else happens their way. Ted Husing handles the narration and also is seen casting a line here and there. Others pictured are Frances Langford, Jon Hall, Mr. and Mrs. Guy Kibbee and Andy Devine. The avid Hollywood fan should find this much to his liking. Running time, 10 minutes.

Legion Approves 8 Of 10 New Pictures

The National Legion of Decency for the current week has approved eight of 10 new films, two for general patronage and six for adults, while one was called objectionable in part and one was condemned. The films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Dead Men Tell," "Mr. Dynamite." Class A-2, Unobjectionable for Adults—"Adam Had Four Sons," "Footsteps in the Dark," "Meet John Doe," "The Penalty," "The Sea Wolf," "Sleepers West." Class B, Objectionable in Part—"Sins of Youth." Class C, Condemned—"Pepe le Moko" (French).

Raise Weekend Prices

ALLENTOWN, PA., March 17.—Experiment of the Colonial of raising weekend prices proved successful, according to manager Charles Bierbauer, with the result that it has been adopted as a permanent policy of both the Colonial and Rialto with other theatres in town expected to follow.

Doric in Toronto Allowed to Reopen

TORONTO, March 17.—Sam Lester, proprietor of the Doric Theatre, Toronto neighborhood house which was the scene of an accident in January when many children were affected by coal gas fumes, has been permitted by the Ontario Government to reopen his theatre for matinee performances.

The Theatres Inspection Branch had ordered the Doric to remain closed for matinees for an indefinite period as the penalty for the accident, following an official probe. In the meantime the theatre staff had been drilled regarding safety measures and the theatre's equipment had been overhauled under the supervision of the Government department.

Canadian Exhibitor Dies

CANSO, N. S., March 17.—E. Percy White, 64, proprietor and manager of the Canso Theatre here, died suddenly of a heart attack while walking on the street. Surviving are his widow and three daughters.

Cassils Lose Suit Against 8 Majors

ST. JOSEPH, Mo., March 17.—The $452,775 damage suit of Eugenia and Frank Cassil, operators of two theatres here, against Dubinsky Brothers, circuit operators, and the eight major companies, was dismissed, with prejudice, by Federal Judge Merrill E. Otis in U. S. District court here Saturday.

The dismissal came midway during the presentation of defense testimony, and after plaintiff's witnesses had been heard.

The Cassils alleged conspiracy among the distributors and Dubinsky Brothers against the plaintiffs' Rialto on product supply and runs. Branch managers of the eight defendant companies testified that they knew of no conspiracy against Cassil and that they had sold first to Dubinsky only because his operations here could return them the most money for their product.

The case was filed early last year. Cassil is president of the Kansas-Missouri Theatre Association, an affiliate of the M.P.T.O.A.

Seeking Action on N. J. Anti-Ascap Bill

TRENTON, March 17.—An attempt to force New Jersey's anti-Ascap bill from committee will be made in the near future by Assemblyman H. Stanley Herbert, Monmouth, sponsor of the measure, he stated today.

The bill would impose a five per cent tax on receipts from the licensing of copyrighted music in the state and would prohibit licensing by organizations such as Ascap except on a "per piece" basis. A similar bill failed to pass last year.

U. S. Drops 'Big 5' From Schine Action

(*Continued from page* 1)

was "practically agreed" on a decree with the Schine circuit.

The companies dismissed from the action were: Loew's, RKO Radio Pictures, 20th Century-Fox, Warners, Vitagraph, Paramount Pictures and Paramount Film Distributing Corp. Remaining as defendants in addition to Schine Theatres and its affiliates are Universal, United Artists and Columbia.

Grainger on Visit to New Orleans Office

James R. Grainger, president of Republic, has arrived in New Orleans after visiting Dallas, where a cocktail party was tendered him at the Variety Club late last week. R. J. O'Donnell, vice-president and general manager of Interstate Circuit, was toastmaster.

DeMille Grandson Dead

HOLLYWOOD, March 17.—Plans are being completed today for the funeral of Christopher Quinn, 2-year-old grandson of Cecil B. DeMille. The child was drowned on Saturday, when he fell into a pond. He was the son of Mr. and Mrs. Anthony Quinn, the latter the adopted daughter of the producer.

F M Donated By Armstrong For Defense

WASHINGTON, March 17.—Free use during the national emergency of his 17 patents on FM broadcasting has been offered to the War Department by Major Edwin H. Armstrong, developer of the system of noiseless FM transmission, and has been accepted with thanks, the Department announced tonight.

Pointing out that by his action the noted inventor has foregone the opportunity to make a considerable sum of money under the defense program, Secretary Henry L. Stimson personally acknowledged Maj. Armstrong's offer to grant a license under his patents to any manufacturer designated by the War Department for one dollar a year royalty "for so long as the present national and international emergency shall exist."

Immediate advantage will be taken of the opportunity by the Army which is now procuring a large number of FM sets for the armed forces and other units, as well as developing three new sets in which FM is to be used.

FM 'Ideal' for Army

Many experts regard FM as ideal for military purposes because atmospheric conditions do not interfere with reception and because it is very difficut to interfere or "jam" FM signals. On the other hand, AM transmission is subject to static and can be jammed easily. Interference on AM can be caused with as little as five per cent of the signal strength by the interfering station, while with FM as much as 50 per cent is required.

Ask FCC to Approve Two New FM Stations

WASHINGTON, March 17.—Applications for construction permits for two new FM stations have been received by the Federal Communications Commission from WHEC, Inc., Rochester, N. Y., planning a station on 44,700 kilocycles to cover 2,318 square miles with a population of 551,374, and the King-Trendle Broadcasting Corp., Detroit, for a station on 47,300 kilocycles to cover 6,900 square miles with a population of 2,564,008.

The commission also received an application from Station KAND, Corsicana, Tex., for increase of power from 100 to 250 watts.

Start Work Soon on NBC Frisco Building

SAN FRANCISCO, March 17.—Construction of the new $1,000,000 NBC Building in the downtown area, postponed repeatedly since early last Fall when newsreels took advance pictures of "ground-breaking" which never occurred, is now slated to commence in 10 days, according to local NBC officials.

Hellinger to 20th-Fox

HOLLYWOOD, March 17.—Mark Hellinger, who left Warners last week, has signed a contract as a producer with 20th Century-Fox.

Off the Antenna

NBC will devote a special 15-minute program at 7:15 P.M. Friday, March 28, to explain the frequency changes made necessary under the Havana Treaty. Both Red and Blue networks will be combined for the broadcast. A total of 192 of the 224 NBC affiliates are required to change frequencies.

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Purely Personal: *Hudson Hawley, NBC short wave news editor, will be principal speaker before the Honors College of Wesleyan College March 26. On the same program will be Fernand Auberjonois, French short wave announcer for the network. . . . Edward J. Fitzgerald, director of radio for Erwin, Wasey & Co., has been named vice-president in charge of radio by the agency. . . . Leora Thatcher of the "Tobacco Road" cast will be guest today on the "Ellen Randolph" program over NBC-Red. . . . Sam Brown, WMCA announcer, left yesterday for observation at Johns Hopkins Hospital. . . . Keenan Wynn, son of Ed Wynn, will have the leading role in "The Amazing Mr. Smith" which starts over Mutual Monday, April 7. . . . Dick Goggin of the WABC program department left yesterday for a vacation in Savannah, Ga.*

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Mutual yesterday started a weekly printed clip sheet service similar in content to that of NBC. Eight items are included and two mats are offered in the first edition. The clip sheet is attached to the printed program folio of the network.

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M-G-M has obtained a half-hour over NBC-Blue on Wednesday, April 2, 4:15-4:45 P.M. for a broadcast of a luncheon to Bishop Ryan of Omaha and Father Edward J. Flanagan, founder of Boys Town. The luncheon will take place at the M-G-M Culver City studio. Spencer Tracy, Mickey Rooney and Judy Garland, who appear in "Men of Boys Town," will also be on the broadcast.

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Program News: *Linton Wells yesterday started a midnight news resume over CBS. The program will be heard Mondays through Saturdays at 12-12:05 A.M., sustaining. . . . "Special Correspondent," a dramatization of the adventures of foreign newspaper correspondents, will be heard shortly on NBC. It was prepared by Robert Eisenbach and Lars Skattebol, both of the NBC newsroom. . . . Johnson & Johnson will sponsor Dorothy Kilgallen,* Journal-American *columnist. The network has not yet been selected. . . . Congress Cigar Co. has started a radio campaign with sports and news programs in Chicago, Detroit and Cincinnati and foreign language programs in Detroit and Buffalo.*

Ascap-Broadcasters Parley Due to Commence Tomorrow

Negotiations between Ascap and the National Association of Broadcasters are expected to begin tomorrow, it was reported following an N.A.B. board of directors' meeting at the Hotel Roosevelt yesterday.

The board discussed the music situation all day but failed to conclude the discussions. As a result, the selection of a negotiating committee which was scheduled to be completed yesterday was delayed.

It was pointed out that the board must decide on its general policy for the negotiations before starting meetings with Ascap. Some board members wish to make no concessions to Ascap at this time, it was reported, although the majority appears to favor immediate conferences

In any event, the negotiating committee will not have the power to bind any of the networks or stations The group will conduct the conferences and then permit the individual interests to decide what to do about signing, it was reported.

Some doubt exists as to the procedure to be adopted. The N.A.B. board has several important matters to consider besides music, especially those relating to the forthcoming St. Louis convention. Since leading members of the board will be required for the negotiating committee, it may be necessary to adjourn board meetings while the committee members are absent. The board is scheduled to conclude its meeting today but it is probable that the sessions may be extended.

Wakefield Selection Confirmed by Senate

WASHINGTON, March 17.—The Senate today confirmed the appointment of Ray C. Wakefield as a member of the Federal Communications Commission and President Roosevelt will be advised of its action before he leaves for his vacation later this week. It is probable that the new commissioner will be sworn in in time to participate in the television hearings Thursday.

Unanimously approved by the Interstate Commerce Committee, the nomination was confirmed by the Senate without opposition.

Baukhage Elected by Air Correspondents

WASHINGTON, March 17.—H. R. Baukhage, NBC commentator, has been elected president of the Radio Correspondents Association. He succeeds Albert Warner of CBS. Other new officers are Fred Morrison, Transradio, vice-president; Steve McCormick, Mutual, secretary, and Francis J. Tully, Jr., Yankee network, treasurer.

Joan Blondell Due

Joan Blondell and Dick Powell are due here today from the Coast. She has just completed work in "Topper Returns," Hal Roach film being released by United Artists.

10 Companies Set on Hearing For Television

WASHINGTON, March 17.—Ten commercial companies and the National Television System Committee have filed notices of intention to appear at the FCC television hearings opening here Thursday, it was disclosed today.

FCC Chairman James L. Fly is confident that the hearings would be brief and could be completed in two days.

The companies giving notice of intention to appear are: Balaban & Katz, CBS, Don Lee Broadcasting System, Allen B. DuMont Laboratories, Farnsworth Television and Radio Corp., Hughes Productions, NBC, Paramount Pictures, Scophony and Zenith Radio Corp.

There are comparatively few matters in dispute, Fly said, and it is not expected that representatives of the major companies will require any lengthy presentation. Indications are that those who testify will be asked to be as brief as possible in order to conserve time.

The FCC is now engaged in consideration of the monopoly report and is anxious to hold a session devoted to the report on Saturday.

New York Changes In Frequency Cited

ALBANY, March 17.—Walter T. Brown, secretary to the Governor, over the weekend issued a statement calling attention to the fact that most New York stations will move to new frequencies March 29 under the Havana Treaty.

The stations of New York State listed by Brown and their new frequencies are: Albany, WABY, 1,400 k.c.; WOKO, 1,460; Auburn, WMBO, 1,340; Batavia, WBTA, 1,490; Binghamton, WNBF, 1,490; Brooklyn, WARD, 1,430; WBBC, 1,430; WBBR, 1,330; WCNW, 1,600; WVFW, 1,430; Buffalo, WBEN, 930; WBNY, 1,400; WEBR, 1,340; WGR, 550; WKBW, 1,520; WSVS, 1,400.

Also, Canton WCAD, 1,250; Elmira, WENY, 1,230; Freeport, WGBB, 1,240; Ithaca, WHCU, 870; Jamestown, WJTN, 1,240; Kingston, WKNY, 1,490; Newburgh, WGNY, 1,250; New York, WABC, 880; WBNX, 1,380; WEAF, 660; WEVD, 1,330; WHN, 1,050; WINS, 1,000; WJZ, 770; WLTH, 1,430; WMCA, 570; WNEW, 1,280; WNYC, 830; WOV, 1,130; WQXR, 1,560.

Also, Niagara Falls, WHLD, 1,290; Ogdensburg, WSLB, 1,400; Olean, WHDL, 1,450; Plattsburgh, WMFF, 1,340; Poughkeepsie, WKIP, 1,450; Rochester, WHAM, 1,180; WHEC, 1,460; WSAY, 1,240; Salina, WAGE, 620; Saranac Lake, WNBZ, 1,320; Schenectady, WGY, 810; Syracuse, WFBL, 1,390; WOLF, 1,490; WSYR, 570; Troy, WHAZ, 1,330; WTRY, 980; Utica, WIBX, 1,230; Watertown, WATN, 1,240; WWNY, 1,300; White Plains, WFAS, 1,240; and Woodside, WWRL, 1,600.

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★ Don't let a good thing die . . . crowd on the steam while the goings good. Remember . . . one *ringer* never won a championship yet. It takes constant ringing of the pin . . . continued plugging for the "ace."

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★ Settle on a standard minimum but keep the glamour shining.

★ And we've got everything you need to give your house that "good-show-here-tonight" look . . . Trailers . . . Lobby Displays . . . General Accessories for any picture . . .

★ Press your advertising luck with the 3 Best Seat Sellers in the industry.

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VOL. 49. NO. 54 NEW YORK, U. S. A., WEDNESDAY, MARCH 19, 1941 TEN CENTS

Coast Chiefs at Quigley Award Presentations

Wanger, Freeman, Crisp Participate; 119 Attend

HOLLYWOOD, March 18.—Climaxing the seven-year history of the Quigley Awards for outstanding showmanship, 119 studio executives, personalities and Hollywood correspondents of the nation's press and wire services today attended luncheon ceremonies at the Beverly-Wilshire Hotel presided over by Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, to witness the awarding of plaques to Everett C. Callow of Warner Theatres, Philadelphia, and J. R. Wheeler, manager

(*Continued on page* 4)

NAB Names Group For Ascap Parleys

The National Association of Broadcasters' board of directors yesterday named a negotiating committee of 15 to meet with an Ascap committee for the purpose of laying a basis for the settlement of the music "war."

The N.A.B. committee will meet today to discuss general problems and will set a date for a joint meeting with the Ascap group. Yesterday it was considered a possibility that the first joint meeting will be held today. Ascap officials have indicated that they are

(*Continued on page* 8)

Delaware Theatres Set for Sunday Films

WILMINGTON, Del., March 18.—At a meeting at the Warner Theatre here this week managers of the 12 local houses will work out details of the operation of their houses next Sunday, following the legislature's repeal of Delaware's 200-year-old Blue Laws.

Only one Delaware house, the Plaza at Milford, was open last Sunday. The others did not open because the time was too short to prepare. Under the measure performances are permitted in incorporated cities and towns on Sunday from 12 noon to 6 P. M., and from 8 P. M. to midnight. The blue laws still apply, however, in unincorporated areas.

481 Out of 539 Films Approved in Year By Decency Legion

The National Legion of Decency approved 481 out of 539 domestic and foreign features reviewed during the year from November, 1939, to November, 1940, according to the annual report released yesterday.

Of the 481 films approved, 271 were rated as unobjectionable for general patronage and 210 were classed as unobjectionable for adults. Of the 539 total, 47 were rated objectionable in part, 10 were condemned and one was placed in a category called "Separately Classified." Of the 539 features, 497 were domestically produced and 42 were foreign films in seven languages.

According to the report issued by the Rev. John J. McClafferty, executive secretary of the Legion, from

(*Continued on page* 4)

Borthwick, Milliken Take Herron Duties

George Borthwick, assistant treasurer of the M.P.P.D.A., will take over the financial duties of Frederick L. Herron with that organization, and Carl E. Milliken, M.P.P.D.A. secretary, will serve as acting head of the organization's foreign department while Herron is on Army duty, it was stated yesterday.

Milliken will be assisted in the foreign department by Harold L. Smith,

(*Continued on page* 4)

Chicago's Second Arbitration Case Hearing Tomorrow

The Chicago arbitration board will "try" its second industry complaint tomorrow when the clearance demand of Ben Banovitz, operator of the Ken, against 20th Century-Fox, RKO and Paramount, involving the Schoenstadt circuit, will be heard by Charles Megan, arbitrator. Megan is ex-president of the Chicago Bar Association.

American Arbitration Association headquarters yesterday also reported that arbitrators have been chosen for two cases in Detroit and one in New Orleans. Jerome G. Thomas, head of the business administration department of Wayne University, and L. J. Carey, attorney, will hear the first and second cases filed in Detroit. Julius D. London, independent exhibitor, is complainant in both cases, involving clearance and naming Warners and Paramount.

Phillip E. James, attorney, was named arbitrator in the New Orleans case, which involves Charles J. Woolner's demand for "some run" from Paramount for his Drive-In Theatre.

Hearings for the Detroit and New Orleans cases have not been set.

Winter's Goodbye Blast Stuns Theatre Grosses

Theatre receipts in some situations fell off as much as 60 per cent from normal in the Midwest under the impact of a sudden and furious blizzard which struck North Dakota and Minnesota over the weekend and the icy winds of near-gale proportions which swept New York State and the entire Eastern seaboard Monday and yesterday.

Winter's parting shot—it is officially scheduled to depart tomorrow—caused the closing of schools in many communities in upper New York State, and affected theatre business seriously. Temperatures plummeted downward 15 degrees or more in New York City overnight, and dropped to lows of two above zero in Albany and

(*Continued on page* 4)

British Production Vital, Commons Told

LONDON, March 18.—The importance of maintaining British film production was brought before the House of Commons today by several members.

Oliver Lyttleton, president of the Board of Trade, responded that he was aware of the importance of maintaining British production consistent with the national interest, and that he has been in communication with Ernest Bevin, Minister of Labor, on the question of manpower. Lyttleton promised the House that he would make a strong plea to the Labor Min-

(*Continued on page* 4)

NEW $6,000,000 FINANCING FOR 'U'

Boston Firm Is Reported In Deal for 5-Year Arrangement

By SAM SHAIN

Arrangements are reported under way, according to Wall Street observers, whereby the First Boston Corp., leading investment banking concern of Boston, will make available to Universal Pictures Company approximately $6,000,000, over a period of five years, at a low rate of interest, to meet all future possible capital requirements of the film company. Of the reported sum, about $4,500,000 is said to be new money.

Nate Blumberg

In July of last year, the same banking house made available to Universal $1,500,000 for purposes of retiring a mortgage of $1,110,000 on the company's studio, held by Consolidated Film Laboratories.

J. Cheever Cowdin

Universal carried $535,795 net profit for the first quarter this year, ended Feb. 1. This was an improvement of $158,000 over the same period the previous year.

J. Cheever Cowdin, chairman, Nate Blumberg, president, and five other executive officers, who constitute the executive management of the company,

(*Continued on page* 4)

In Today's Issue

A review of "Man Made Monster" will be found on Page 6. Short subject reviews are on Page 7. Hollywood production news, on Page 5.

Coast Flashes

Hollywood, March 18

THE arbitration panel of the Los Angeles local board will meet tomorrow with J. Noble Braden, executive secretary of the American Arbitration Association, for a discussion of procedure. Noble, whose headquarters are in New York, is here to set up A. A. A. headquarters No complaints have been filed with the Los Angeles board.

•

A "tentative" settlement has been reached in the Colcata Corp. damage action against Fox West Coast Theatres and major companies over alleged inability to obtain "satisfactory" product for Bard's Colorado Theatre in Pasadena, it was disclosed today by attorneys in court when the case was called. As a result, the trial was postponed.

•

Joseph Skirball, business manager for Frank Lloyd Productions, releasing through Universal, left tonight for Dallas to start a series of previews of "Lady from Cheyenne," scheduled for 10 key cities.

Second Week for 'Bishop'

Business at the Radio City Music Hall being above expectation, "Cheers for Miss Bishop" will be held for a second week beginning tomorrow, it was stated yesterday.

Personal Mention

T. J. CONNORS, Eastern, Southern and Canadian sales manager for M-G-M, left yesterday by plane for a business trip to Miami. He is expected to return on Monday.

•

LEON NETTER, Paramount theatre executive, returns today from Greensboro, N. C.

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B. E. HOFFMAN, Warner Theatres executive in New Haven, is vacationing at White Sulphur Springs.

•

ORSON WELLES, JOHN HOUSMAN, LEE SHUBERT, ARTHUR KELLY, ARTHUR KRIM, NAT KARSON, DENNIS KING, EDDIE DOWLING lunching at Sardi's yesterday.

•

HARRY KUGEL, cashier at the M-G-M branch here, who is to be married Saturday to RUTH FEIRING, will be given a luncheon by associates today at the Hickory House.

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ELMER HOLLANDER, manager of Warners' Stanton, Philadelphia, has returned to his post after an illness.

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ROCCO LONGO, operator of the Community Theatre, Oakville, Conn., has returned from a visit to Philadelphia.

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MICHAEL TOMASINO, operator of the Victory and White Way, New Haven, left this week for Florida with TONY CASELLA, projectionist.

MR. and MRS. ABE LASTVOGEL leave Chicago today for the Coast.

•

FRANCES WEBB, secretary to WILLIAM GOETZ, has arrived here from the Coast.

•

OSCAR DOOB, WILLIAM ORR, JOHN W. HICKS, MAURICE BERGMAN, SIDNEY PHILLIPS, ARTHUR MAYER, MAX A. COHEN, STANTON GRIFFIS, BARNEY BALABAN, AUSTIN KEOUGH, RICHARD RODGERS, RUSSELL HOLMAN and EDWARD SAUNDERS having lunch yesterday at Nick's Hunting Room in the Astor.

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DAVID LIPTON, SAM SHAIN, MONROE GREENTHAL, MORRIS KINZLER, IRVING LESSER, JACK PARTINGTON, MORRIS HELPRIN, MEYER BECK, SEYMOUR POE, DAVE "SKIP" WESHNER and JAMES CRON lunching at Lindy's (next to the Rivoli) yesterday.

•

B. S. MOSS, HARRY GOLD, CHARLES STERN, MAURICE SILVERSTONE, FREDRIC MARCH, NATE BLUMBERG, MARTIN MOSKOWITZ and LOU BRANDT at Lindy's (51st St.) yesterday for lunch.

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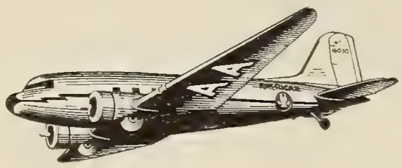
RALPH POUCHER, HARRY THOMAS, LOU POLLOCK, HANK LINET, JEFFREY BERNERD, BUDD ROGERS, ARTHUR GREENBLATT, W. RAY JOHNSTON and VINCENT TROTTA lunching yesterday at the Tavern.



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ROUTE OF THE FLAGSHIPS

Baltimore Theatre Club to Be Formed

BALTIMORE, March 18.—A group of Baltimore theatre men have met in the interest of organizing a new club. Robert Marhenke, owner of the Broadway, and Michael Reaber of the Mayfair are handling the details.

"It is our idea to have something like the Showmen's Club of Philadelphia," states Marhenke, "so that the theatre workers in moderate circumstances will have a worth while place to go after hours." Tentative plans are to name the Baltimore organization the Showman's Club.

Reduce 'Doe' Price At 2 B'way Houses

The scale of prices for "Meet John Doe" at the Rivoli and the Hollywood has been reduced from 55 cents to 40 cents up to 1 P.M. and from 77 cents to 65 cents up to 6 P.M. The evening scale of 99 cents remains the same. The change was made late Monday afternoon. The new scale is the same as that in effect regularly at the Rivoli.

English Reel Booked

"This Is England," defense documentary prepared in England, which Columbia will distribute here, is scheduled for simultaneous showings in 200 Greater New York theaters during the week of March 27. Net proceeds will be contributed by Columbia to the R. A. F. Spitfire Fund.

Newsreel Parade

PRESIDENT ROOSEVELT'S address at the annual dinner of the White House correspondents is outstanding among the varied defense subjects in the new issues. Contents follow:

MOVIETONE NEWS, No. 55—Ro[illegible]velt's address. Army engineers in ne[illegible]tics. Virginia cadets in maneuvers. [illegible] Miami" chosen. Petain and Franco meet in France. New British troops in training. Former U. S. destroyers in British service. King George and Queen Elizabeth in Scotland. Windsors referee golf match in Nassau.

NEWS OF THE DAY, No. 253—Roosevelt urges united defense effort. Army engineers learn new war methods. King George and Queen Elizabeth in Scotland. Tommy-gun defenses in Britain. Train wreck in Ohio River. Daffodil festival in Washington. Notre Dame football stars training. Windsors at golf match.

PARAMOUNT NEWS, No. 58—Roosevelt's message. New powder mill in Virginia. New army engineers in maneuvers. Norwich University cavalry unit in training. Train wreck. Golf match in Nassau. Pistol tournament in Florida. Football practice at Notre Dame.

RKO PATHE NEWS, No. 58—Roosevelt pledges all-out aid. New powder plant in Virginia. Engineers learn new attack methods. German freighter arrives in Brazil. Australian troops leave for Singapore. Daffodils bloom in Washington. Pistol experts in Florida competition. Windsors at Nassau golf match. Notre Dame football team in practice.

UNIVERSAL NEWSREEL, No. 963—Roosevelt's address. Warehouse fire in New Orleans. New powder plant in Virginia. St. Patrick's Day parade in New York. Army engineers in training. Cavalry cadets in maneuvers. Daffodil festival in Washington. Spring football at Notre Dame. Windsors at Nassau golf match.

Urge Admission Tax In Maryland Town

SALISBURY, Md., March 18.—A bill urging one-cent tax on all film admissions, the revenue to finance recreational activities in the city of Salisbury, has been presented to the Maryland state legislature by Delegate J. Howard Johnson. Indorsement of the Mayor and City Council has been obtained. Johnson estimates an annual revenue under the measure at from $12,000 to $15,000 annually.

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M-G-M...*NO HALFWAY MEASURES!*

New Financing Of $6,000,000 For Universal

(Continued from page 1)

were recently awarded new employcontracts by the company's stockholders at the company's annual meeting in Delaware last Saturday, as a reward for their service in bringing the company from the red into the black. These men are William A. Scully, in charge of domestic distribution; Cliff Work, vice-president in charge of production; J. H. Seidelman, vice-president in charge of foreign distribution; Charles Prutzman, vice-president and general counsel, and Matthew Fox, vice-president and assistant to the president.

Under Blumberg's direction, the company's annual gross has increased from $18,150,876 to $27,677,627, and in the last three years, according to a statement recently made by Cowdin, this management "converted a net loss of $1,084,999 into a net profit of $2,390,722."

Minn. Measure Hits All Booking Agencies

MINNEAPOLIS, March 18. — A bill before the state Senate Labor Committee would regulate theatrical booking agencies, compelling them to register as employment bureaus. Only a few agencies have applied thus far for registration.

The bill would prevent an agency or bureau collecting a fee if an employe is called back to work a second time by the employer.

★

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Winter's Goodbye Blast Stuns Theatre Grosses

(Continued from page 1)

Syracuse and three above in Rochester and Buffalo.

Even the South felt the sting of the unexpected cold wave, with most of the Southern states reporting freezing and below.

While temperatures moderated somewhat in the Midwest yesterday, sub-zero cold persisted in Wisconsin and Minnesota and press dispatches set at 79 the death toll in the storms which whipped through the Northen states.

Theatre attendance was most severely hit in Minnesota and the Dakotas. Although the blizzard was not as severe in South Dakota as elsewhere, it cut theatre grosses up to 60 per cent in the area about Sioux Falls, S. D. "Gone With the Wind" suffered most severely in Sioux Falls, doing only 40 per cent of normal weekend business at the State Theatre there, with business off especially in the evening. Northeastern South Dakota was affected by a 12-hour railroad tieup.

High winds and snow in the Minneapolis area cut grosses as much as 30 per cent under normal weekend figures even before the blizzard and dropped to 50 per cent below afterwards.

West of Minneapolis the situation was worse, with grosses dropping 20 per cent or more in such spots as Fargo and Grand Forks, N. D., and Moorehead and Crookston, Minn. Business returned to more nearly normal figures yesterday as roads were opened in the affected areas.

The blizzard did not strike Chicago, but zero weather had a depressing effect on business. Grosses fell off to some extent at the Loop houses, but affected the neighborhood houses less.

Borthwick, Milliken Take Herron Duties

(Continued from page 1)

former European manager for the M.P.P.D.A., who is now at the home office. As a result of this assignment, F. W. Allport, M.P.P.D.A. London representative, has been named European manager.

Herron, a lieutenant colonel in the Army reserve corps, retains his titles of treasurer and foreign department manager of the M.P.P.D.A., while on leave of absence for military service. He reported for duty yesterday at the Adjutant General's office in Washington.

House in Ohio Kills Newsreel Measure

COLUMBUS, O., March 18.—Despite pressure by the industry, the bill introduced by Representative Ford at the instance of P. J. Wood, secretary of the I. T. O., to eliminate newsreels from censorship, was killed in committee.

The Ohio censorship law was enacted as a police measure, but has become a revenue measure, Wood said, in substantiation of which he pointed out that the censor board received $1,073,241 in fees during the past six year while the operating cost of the board was $130,325 during that period.

481 Out of 539 Films Approved in Year By Decency Legion

(Continued from page 1)

November, 1937, to November, 1940, there has been an increase of three per cent in the number of pictures classed as objectionable in part, and an increase of five per cent in the number rated as unobjectionable for adults. At the same time, there has been a decrease of nine per cent in the number classified as unobjectionable for general patronage.

The report declares in its preface: "This increase of indecencies in films is perceived not only quantitatively in terms of the statistics, but qualitatively in terms of the growing boldness of producers in the choice of film treatment and story material."

Of the total reviewed, 50 per cent were rated unobjectionable for general patronage, 39 per cent unobjectionable for adults, nine per cent objectionable in part, and two per cent were condemned.

Of the 42 foreign language films reviewed, 12 were of English origin, 21 were French, four Spanish, two Irish, and one each Italian, Mexican and Yiddish.

British Production Vital, Commons Told

(Continued from page 1)

istry on behalf of English production.

Meanwhile, the Board of Trade has issued a virtual edict that new economies must be applied by the industry in the use of film stocks. Following conferences, Whitehall has officially requested less positive and negative stock be used. The objective is to conserve shipping space, since most of the stock used here comes from the United States.

A united producer front has been developed with the consolidation of the Association of Short Film Producers and the British Short Film Makers Society—documentary and commercial groups—with the Film Producers Association.

A.G.V.A. Meeting in Phila. on April 2

PHILADELPHIA, March 18.—The first general meeting this year of the local branch of the American Guild of Variety Artists has been called for April 2 by Richard Mayo, local executive secretary. Intended as a show of membership strength, nominations of officers and a board of directors will be made at the meeting, with elections 30 days later.

Pathe Film Dividend

The board of directors of Pathe Film Corp. has declared a regular quarterly dividend of $1.75 per share on the $7 convertible preferred stock, payable April 1 to stockholders of record March 24.

Coast Chiefs at Quigley Award Presentations

(Continued from page 1)

of Great States' Granada Theatre, South Bend, Ind.

Y. Frank Freeman, president of the Association of Motion Picture [illegible]ducers and Paramount studio [illegible] made the presentation of the [illegible] plaque to Wheeler. Donald Crisp, representing Warner Bros., presented the silver plaque to Callow.

Wanger paid tribute to the winners as "the men whose efforts produce the revenues which we in Hollywood use to make more pictures." Wanger stressed the importance of providing to the men in the field a consistent supply of screen entertainment keeping abreast of the times and the market.

On the dais were Wanger, E. J Mannix, Dr. A. H. Giannini, Sol Lesser, Donald Crisp, A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald*; Jesse Lasky, Herman Wobber, Harold Lloyd, Harry Rapf and the award winners.

Edward Arnold, president of the Screen Actors Guild; Sheridan Gibney, president of the Screen Writers Guild, and J. P. McGowan, executive secretary of the directors guild, were introduced by Wanger.

Among others present were Winfield R. Sheehan, Harry Sherman, Irving Asher, Jack Chertok, Jack Warner, Jr., Carey Wilson, Gordon Hollingshead, Daniel T. O'Shea, Albert A. Galston, Ben Wallerstein, Ida Koverman, Fred Beetson, Fred Pelton, Lou Halper, Charles Koerner, William Stephens, Jane Darwell, Gloria Jean, Edmund O'Brien, Glenn Ford, Martha O. Driscoll, Tex Ritter, Kenneth Thomson, Douglas Churchill, Hedda Hopper and Robbin Coons.

Col. Sets Deal on English Pictures

LONDON, March 18.—Columbia Pictures today announced completion of a deal with the recently organized company of George Formby, leading English comedy star, whereby Columbia would handle world-wide distribution of two Formby pictures annually. The deal was forecast in MOTION PICTURE DAILY last week. It is understood Columbia would undertake financing, wholly or in part, of the Formby productions.

Max Thorpe, managing director for Columbia in England, who negotiated the deal, declared that he believes Formby to be an international personality and that the films will be designed for the world market, including the United States.

Sign Ice Show for Film

KANSAS CITY, March 18.—The entire company of the "Icecapades" show now appearing at the Plamor here, has been signed by Republic for a picture. The contract was negotiated by John Harris, Pittsburgh circuit head and president of the ice show corporation, and M. J. Siegel, president of Republic Productions, Inc.

Griffis Buys 1,000 Paramount Shares

WASHINGTON, March 18.—Acquisition of 1,000 shares of Paramount Pictures common stock by Stanton Griffis, New York director, giving him a total of 7,500 shares, was the largest of the few transactions of film officials in the securities of their companies reported today by the Securities and Exchange Commission in its January summary.

The only other personal acquisition reported was 400 shares of Consolidated Film Industries preferred stock by Walter P. Stevens, Scranton, Pa., director, who held 400 shares at the close of the month. Stevens also filed reports for December showing the acquisition of 900 shares and the disposition of 1,000 shares of preferred, and the acquisition of 153 shares and the sale of 500 shares of common stock.

Consolidated Film Dealings

Also in Consolidated, E. H. Seifert, Fort Lee, N. J., director, reported the disposition of 100 shares of preferred, all he held. In General Theatres Equipment, R. B. Laure reported the disposition of 100 shares of capital stock, leaving him with 500 shares, and in Universal Corp. Daniel M. Sheaffer reported that in December he acquired 100 common voting trust certificates and in January sold a similar quantity.

Another 60 shares of Loew's Boston Theatres common stock was acquired by Loew's Inc., giving it a total of 117,847 shares.

Disposition of 600 shares of Class A common stock of Columbia Broadcasting System, by gift to his family, was reported by Isaac D. Levy, who held 60,146 shares at the close of the month.

Official Asks Probe Of Game in Buffalo

BUFFALO, March 18.—An investigation of the Granada Theatre's chance game for children has been asked by District Attorney Leo J. Hagerty in a letter to Austin J. Roche, Buffalo's new Police Commissioner. Hagerty suggested that "such action be taken as the facts warrant."

Hagerty said he contacted the Rev. Niel Crawford, clergyman who had protested the game, and that facts indicate the game is a possible violation of the state lottery law. Louis Levitch, manager of the theatre, a Schine house, said: "If people feel that the game is wrong I certainly will cooperate by discontinuing it immediately."

Report of T.N.E.C. Riles Justice Dep't

WASHINGTON, March 18.—The Department of Justice has no quarrel with the report of the Temporary National Economic Committee with regard to the picture of the growth of the film industry and its practices, but it is understood not willing to accept the monograph's view of the consent decree.

Assistant Attorney General Thurman Arnold is out of the city and could not be reached today for comment. The matter is being held in abeyance pending his return.

Four Stories Purchased In Week for Production

Hollywood, March 18

FOUR stories were purchased last week by various studios. M-G-M bought "Jackass Mail," original by C. Gardner Sullivan to star Wallace Beery. Columbia acquired Sam Marx's original, "Side Street," story of a tabloid newspaper editor, and Marx will produce it. Republic purchased "Washington Correspondent," by Charles E. Blake, local newspaper reporter, and Warners, "Passage from Hongkong," by Earl Derr Biggers.

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Last two weeks in March will see the start of five Monogram productions, an unprecedented spurt of activity for the company in that period of time. First to start was SCOTT R. DUNLAP'S "Widows of the Press," with JEAN PARKER, WALLACE FORD, JED PROUTY, DENNIS MOORE and BOB FRASER topping the cast and PHIL ROSEN directing. BELA LUGOSI'S vehicle, "The Phantom Monster," being produced by SAM KATZMAN, begins this week with JOSEPH LEWIS directing.

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Producer Lindsley Parsons will place "King of the Zombies" in work March 25, and Jean Yarborough will direct. "Redhead," story by Dorothy Reid, Betty Burbridge and Conrad Seiler, will be produced by I. E. Chadwick starting March 27. Edward Finney's special, "The Pioneers," based on a story by James Fenimore Cooper, will start at the end of the month. It will star Tex Ritter and "Arkansas Slim" Andrews, with Al Herman scheduled to direct.

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"Robert E. Lee" will be the first of the 1941-'42 season's historical patriotic shorts at Warners. SIDNEY BLACKMER gets the name role in the script being written by OWEN CRUMP. . . . JOAN BENNETT will appear opposite WALTER PIDGEON in "Man Hunt," new title for "Rogue Male," novel by GEOFFREY HOUSEHOLD. FRITZ LANG directs. LUCILE BALL and DESI ARNAZ get the romantic leads in RKO's picture which will star EDGAR BERGEN, CHARLIE MCCARTHY, FIBBER MCGEE and MOLLY. ALLAN DWAN will produce and direct from a script by JAMES V. KERN. . . NANCY KELLY has been borrowed from 20th Century-Fox to appear with ROBERT PRESTON as the romantic leads of RKO's "Parachute Battalion." . . . Twentieth Century-Fox has signed JULES FURTHMAN, JOAN HARR'SON and ANNE MORRISON CHAPIN, writers.

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JANE MURFIN will do the script for "Strange Victory," SOL LESSER production to star MARTHA SCOTT. . . . JERROLD T. BRANDT has signed MILDRED COLES for the feminine lead of the next Scattergood Baines picture, "Scattergood Pulls the Strings." . . . She also goes into "Hurry, Charlie, Hurry," LEON ERROL vehicle at RKO. . . . Paramount has promoted Film Editor HUGH BENNETT to director and his first assignment will be "Henry for President," next in the series of Aldrich Family pictures. . . . TED TETZLAFF, Paramount cinematographer, also has been given a chance at direction, drawing the guidance of "World Premiere" as his first.

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Cobina Wright, Jr., has switched roles with Lynn Bari. The former goes into "Miami" and the latter, "Sun Valley," at 20th Century-Fox. . . . David O. Selznick has signed Rose Franken and William Brown Meloney to adapt 'Claudia," from the New York stage play written by Miss Franken. . . . Frank McHugh, Ward Bond, Joyce Compton and Barbara Pepper will support Marlene Dietrich and George Raft in Warners' "Manpower," directed by Raoul Walsh. . . . Paramount has signed William Cabanne, son of Christy Cabanne, veteran director, to a term acting contract.

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MICHAEL CURTIZ' directorial contract has been extended by Warners. . . . REGIS TOOMEY, because of preview reaction to his work in "Meet John Doe," has been given an important part in "Dive Bomber," starring ERROL FLYNN and FRED MACMURRAY at Warners. . . . JINX FALKENBERG, photographers' model, has been set for a top role in Columbia's "Girls from Panama." . . . JOSEPH SCHILDKRAUT joins CHARLIE RUGGLES, ELLEN DREW and PHIL TERRY in Paramount's "Parson of Panamint." . . . Second of the series of Warner two-reel shorts taken from well known short stories will be "The Bells," from a story by LEOPOLD LEWIS, and third will be "The Monkey's Paw," from a story by W. W. JACOBS. . . . NILS ASTHER has been given a role in "Forced Landing," WILLIAM PINE-WILLIAM C. THOMAS production for Paramount release. . . . CLIFF NAZARRO, now working in Republic's "Rookies on Parade," goes into Warners' "Navy Blues." . . . EMMETT LYNN has been cast for "Parachute Battalion," RKO.

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ROCHELLE HUDSON, BRUCE BENNETT and ROGER PRYOR head the cast of Columbia's "The Officer and the Lady," with SIDNEY BLACKMER, OSCAR O'SHEA and TOM KENNEDY in supporting roles. SAM WHITE directs under supervision of LEON BARSHA. . . . JANE DARWELL and SIMONE SIMON have been added to the cast of "A Certain Mr. Scratch," first of the WILLIAM DIETERLE productions for RKO release. THOMAS MITCHELL, WALTER HUSTON, ANNE SHIRLEY, JAMES CRAIG, GENE LOCKHART and JOHN QUALEN are in the other roles.

May Seek Texas Tax on Receipts

Austin, Tex.—A 1½ per cent gross receipts tax is being suggested by Representative J. N. Reed, member of the state legislature, that will apply to theatre tickets, sports, and athletic events. By levying such a tax, $500,000 a year would be collected. Religious, charitable organizations and educational associations would be exempt.

JOHN WAYNE IN THE GREATEST TRIUMPH OF HIS CAREER

LADY FROM NEW ORLEANS
A REPUBLIC PICTURE
JOHN WAYNE • ONA MUNSON
RAY MIDDLETON • HENRY STEPHENSON
HELEN WESTLEY • Bernard Vorhaus—Director

Technicolor 1940 Net Profit $882,125

Technicolor, Inc., yesterday reported consolidated net profit for 1940 of $882,125 after all charges and Federal taxes. The result compares with net profit of $912,614 for the preceding year.

The report states that its English subsidiary, Technicolor, Ltd., had a loss of approximately $42,000 during 1940, but that operations in the plant near London will be continued.

The company's consolidated balance sheet shows current assets of $4,327,543, of which $3,705,566 is cash, and current liabilities of $807,943.

Technicolor's net sales for the year amounted to $5,103,404, and approximated 80,632,000 feet, compared with 70,126,156 feet of positive prints in 1939.

The report of Herbert T. Kalmus, president, states that for the period from last October to January, print footage sales amounted to approximately 32,500,000 feet.

He reports progress on the development of a monopack negative to replace Technicolor's present three-strip process but makes no definite prediction for its commercial introduction for release prints. Kalmus indicates, however, that monopack will be ready for use as originals.

Bela Lugosi Signed

Hollywood, March 18.—Bela Lugosi has been signed by Sam Katzman to star in three horror films for Monogram release. The first will be "The Phantom Monster."

Feature Review

"Man-Made Monster"

(Universal)

ALTHOUGH the theme of this film is somewhat preposterous, delving into the weird results of the experiments of a crack-brained scientist, the picture has its moments of excitement and suspense for the run-of-the-mine film fans, who do not ask too many questions of their screen diet, as long as it is filling.

Lionel Atwill, Lon Chaney, Jr., Anne Nagel, Frank Albertson and Samuel S. Hinds are most prominently cast in this adaptation to the screen of a story, "The Electric Man," which, incidentally, might have been an even better title than that selected. George Waggner, who directed, contrived to keep the film moving with reasonable skill. Jack Bernhard was associate producer.

As the story has it, Atwill, scientist associate of Hinds, finds a ready subject for his experiments when Chaney is discovered to have survived electrocution when a bus in which he was a passenger crashed into power lines. Atwill's theory is that he can make individuals completely dependent upon supplied electricity, making them virtually robots. He succeeds with Chaney, who kills Hinds. The film reaches a far-fetched but novel climax when Chaney, charged but unhurt by the power application in the electric chair, stalks out of the prison as a walking electric chair himself, and settles accounts with Atwill before he dies when his electrical power leaves him.

Running time, 60 minutes. "G."* CHARLES S. AARONSON

**"G" denotes general classification.*

3 Producers Leave N. Y. Theatre League

George Abbott, Howard Lindsay and Russell Crouse were reported last night as having resigned from the League of New York Theatres because of the organization's suit against the Dramatists Guild.

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THURSDAY, MARCH 20 AT 12:45 SHARP
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——speaking on——
"I PLAY THE BAD ONES"
★ ★ ★
AGNES MENGEL GREW
Director, Women's Institute of Audience Reactions
"WHAT DO YOU WANT TO KNOW ABOUT WOMEN?"
★ ★ ★
ROASTMASTER—Lou Pollock, Universal Pictures
EXTRA!-SIMONE SIMON-WENDY BARRIE-EXTRA!
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Phone Miss Gleitzman, Circle 6-5000 for full tables (10).
SILVER JUBILEE — APRIL 4 — BENEFIT AMPA RELIEF FUND

Reels, Networks to Tour Army Centers

Newsreels and radio networks have been invited by the Army to make a two-week tour of inspection of the 13 points at which Army activities are concentrated. The tour, which will start tomorrow from Bolling Field, Washington, came as the result of a shakeup in Army publicity staffs. It was pointed out that key newspaper men were taken on such a trip last Fall but motion picture and radio interests were omitted. Photo service representatives will also be included this time.

The tour will be made by air in Army bombing planes and will end in Hollywood where defense films will be inspected.

Newsreel representatives will be: William Montague, Paramount News; George Dorsey, RKO Pathe; Earl Allvine, Movietone News; James Lyons, from Universal Newsreel's Washington office, and Charles Matthews (tentative), News of the Day. Representing the networks will be Arthur Feldman, NBC; William Slocum, CBS, and Madeline Ensign, of WOL, Washington, representing Mutual.

Seek Mexico Ruling On German Picture

Mexico City, March 18. — The Mexican Federal Attorney General has been asked to determine whether a picture imported duty free as an educational film must pay duty, since it subsequently was shown publicly for profit.

The film at issue is the German documentary picture on the last Olympic Games held in Germany, which was imported by Angel Truchuelo Robles. The ruling of the Government is awaited with interest by the industry, since it is expected to set a precedent.

'Dictator' Is Philadelphia Hit at $14,500

Philadelphia, March 18.—In spite of snow and slush opening day, "The Great Dictator" gave the Stanton an unusual week with $14,500. The house scale, normally 57 cents, was cha[illegible] to 68 cents to conform with the [illegible] downtown first run houses. Grosses at most of the other theatres continued at about average levels.

Estimated receipts for the week ended March 12-14:

"Fantasia" (Disney)
ALDINE—(1,400) (86c-$1.14-$1.71) 7 days, 4th week. Gross: $8,500. (Average, $9,000)

"Flight Command" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 3 days, 2nd run. Gross: $900. (Average, $2,600)

"Mr. & Mrs. Smith" (RKO)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $14.600. (Average, $13,000)

"The Trial of Mary Dugan" (M-G-M)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Clifford C. Fischer's "Folies Bergere" unit with Senor Wences. Gloria Gilbert, Herman Hyde, Red Donahue, Three Martels & Mignon, Denas & Dubins, John Leopold, Lily Sandan, Emmett Casey, Nan Merriman and Myrtill. Gross: $18.300. (Average, $14,000)

"Wild Man of Borneo" (M-G-M)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days with vaudeville including Jo-Ann Carroll, Charmaine, Betty Jane Smith, Ross & Bennett, The Dodo Boys, Carr Bros., and Bobby Bernard. Gross: $6,000. (Average, $6.900)

"So Ends Our Night" (U. A.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $13,000. (Average, $13,000)

"Land of Liberty" (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $1,900. (Average, $3,000)

"This Thing Called Love" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,500. (Average, $4.500)

"Tobacco Road" (20th-Fox)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. $14.700; 3 days, 2nd week, $3,100; 10-day average. Gross: $17,700. (Average, $14.000)

"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days. Gross: $14.500. (Average, $4,500)

M-G-M Files Counter Claim in Roach Suit

Loew's, Inc., and M-G-M Distributing Corp. yesterday filed an answer in the U. S. District Court here to the $1,263,993 damage suit of Hal Roach Studios, Inc., in which a counter-claim is made against Roach for an estimated $500,000.

The answer charges Roach with violating five distributing contracts by charging higher production costs for films than actually incurred and by allegedly including cost items prohibited in the contracts. The defendants say the exact amount of damages, unknown to them, would be disclosed by an examination of Roach's books.

The answer denies all substantial charges made in Roach's complaint and raises two affirmative defenses affecting part of the complaint. One defense claims that four of the six causes of action are barred by the statute of limitations. This defense refers to three contracts made prior to 1934.

The suit, filed in January, charged M-G-M violated provisions of five releasing contracts with Roach, including alleged failure to push sales of films, failure to allow for tax returns, and improper charges of positive print costs.

Note Pa. Gain in Non-Theatricals

Wilkes-Barre, Pa., March 18.—A decided increase in non-theatrical showings of motion pictures has been noticed here with churches, civic organizations and schools booking educational, religious or commercial shows. Many of the programs are announced in news items in local papers.

'Hudson's,' Show Minneapolis Top

Minneapolis, March 18. — "Hudson's Bay," coupled with a stage show, drew a big $8,800 at the Orpheum. "Western Union" did a healthy $8,500 at the State.

Estimated takings for the week ending March 14:

"Western Union" (20th-Fox)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $8,500. (Average, $6,000)

"Hudson's Bay" (W. B.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. With Jane Froman, Gray Gordon's band on stage. Gross: $8,800. (Average, $5,500)

"Ride Kelly Ride" (20th-Fox) (5 days)
"Blackout" (U. A.) (5 days)
"Meet the Chump' (Univ.) (2 days)
"Devil's Command" (Col.) (2 days)
ASTER — (900) (15c-28c) 7 days. Gross: $1,800. (Average, $1,800)

"Dr. Kildare's Crisis" (M-G-M)
GOPHER — (998) (28c) 7 days. Gross: $2,500. (Average, $2,500)

"Virginia" (Para.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 3rd week. Gross: $2,500. (Average, $1,600)

"Mr. and Mrs. Smith" (RKO)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $5,000. (Average, $4,000)

Snowstorm Wrecks New Haven Grosses

New Haven, March 18.—The snowstorm took a heavy toll of local business. "Western Union" and "Blondie Goes Latin" at the Loew-Poli grossed $7,500. The Roger Sherman, with "Footsteps in the Dark" and "Remedy for Riches," drew $4,300.

Estimated takings for the week ending March 14:

"The Son of Monte Cristo" (U. A.)
"Michael Shayne, Private Detective" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $2,700)

"Western Union" (20th-Fox)
"Blondie Goes Latin" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,500. (Average, $8,000)

"The Mad Doctor" (Para.)
"The Monster and the Girl" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,000. (Average, $4,500)

"Foosteps in the Dark" (W. B.)
"Remedy for Riches" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,300. (Average, $5.000)

Ga. House Passes Projectionist Bill

Atlanta, March 18.—The Georgia House of Representatives has passed a measure requiring all film theatre projectionists in the state to obtain licenses and pass examinations conducted by the State Fire Inspector.

The bill, sponsored by circuit operators, gives equal rights to license holders to operate anywhere in the state.

Short Subject Reviews

"Picture People, No. 7"

(*RKO-Pathe*)

Many film and radio stars appear in this issue of "Picture People." Jack Benny, in an amusing sequence with his gag writers, and Gracie Allen and George Burns painting and posing, respectively, provide the highlights. Additionally, are seen Margaret Lindsay learning to rhumba, Lum and Abner in character and in real life, and Joe E. Brown exhibiting a collection of sport souvenirs. Running time, 10 mins.

"Information, Please, No. 7"

(*RKO-Pathe*)

Anna Neagle, in a return appearance as guest expert among the wizards of "Information, Please," succeeds in stealing at least part of the show. The group follows its familiar but altogether pleasing pattern of questions, answers and quips. A weight guessing contest, and a Gilbert & Sullivan duet by Franklin P. Adams and Miss Neagle add to the gaiety. Running time, 10 mins.

"Delhi"

(*Paramount*)

A host of colorful, highly photogenic characters and structures are recorded in this so-called "Fascinating Journey" to Delhi in northern India. The commentary recounts the history of the city while the camera moves about slowly, at times almost tediously, taking note of the intriguing tombs, palaces and the like. The color camera had ideal material in this instance. The travelogue addict, especially, should enjoy this. Running time, 11 mins.

"Unusual Occupations"

(*Paramount*)

A varied assortment of oddities, filmed in color, makes a worthwhile presentation, especially where variety is needed on the program. The subjects are a collection of crown jewel creations, a Connecticut hobbyist who creates unique designs with yarn and linen, an amateur locomotive builder, a traveling beauty studio, a feminine bull fighter and a newspaper cartoonist, Clifford McBride, at work. Running time, 11 mins.

"Going Places, No. 87"

(*Universal*)

Bar Harbor and Arcadia National Park are explored here with both camera and commentator placing emphasis on the estates of the rich Summer inhabitants and the occupations of the not-so-rich natives. Repeated reference is made to the historical significance of the points visited. The short is instructive, although not very entertaining. Running time, 9 mins.

"Sun Fun"

(*Paramount*)

This Grantland Rice "Sportlight" pictures the sporting activities at Sun Valley, Idaho, where swimming is a Winter pastime and ice skating is on the Summer program. The snow-covered mountains, over which the ski experts glide, are particularly picturesque. Running time, 10 mins.

"Bob Chester and His Orchestra"

(*Paramount*)

The up and coming Bob Chester, his bandsmen and Betty Bradley and Bill Darnell, vocalists, all perform adequately, but there is little to distinguish the short from the usual musical. There are renditions of "On the Sunny Side of the Street," "Deep River" and "Chesterwoogie," the latter being a spirited jive number. Running time, 10 mins.

"Screen Snapshots, No. 6"

(*Columbia*)

With Larry Simms, the youngster in the "Blondie" series, acting as guide-in-chief, the audience is taken to the Navy training station at San Diego and to an army post. George Burns and Gracie Allen are seen entertaining the middies with their silly chatter while at the soldiers' camp, Abbott and Costello become involved in an amusing conversation on baseball. Rita Hayworth then demonstrates how the conga should be executed. This is entertaining, although there is only a minimum of Hollywood talent on view. Running time, 10 mins.

"Western Wonderland"

(*Columbia*)

Producer Andre de la Varre here offers an interesting study of the Grand Canyon and the Sequoia forests. The enormous rocks and the huge trees have been photographed effectively at various angles while off-screen comment is made on the dimensions. The immensity of the canyon is recorded with startling effect. It is a splendid subject. Running time, 10 mins.

"Movie Magic"

(*Columbia*)

Something different in the way of short subject entertainment, this "Cinescope" amusingly follows the manufacture of lipstick from raw material to finished product in the first half, and in the latter part depicts the production of magicians' devices and their use in creating illusion. These include the headless-woman and man-sawed-in-half acts. This is highly enjoyable. Running time, 10 mins.

"Popular Science"

(*Paramount*)

Here are seen the use of motion picture film in a Broadway advertising sign, an ultra modern kitchen, a microbe farm in North Carolina, a sneeze catcher and an airmail service for remote towns. The subject matter is amusing and entertaining and forms a splendid addition to an interesting series. Running time, 11 mins.

"Red, White and Blue Hawaii"

(*Paramount*)

This Paramount "Paragraphic" undertakes to acquaint audiences with the industrial aspects of Hawaii and the island's defense forces. The sugar and pineapple industries are examined thoroughly. The short is in color. Running time, 11 minutes.

Para. to Release New Short Series

Paramount will release a series of six one-reel short subjects as part of its 1941-'42 program, titled "Hedda Hopper's Hollywood," it was announced yesterday by Russell Holman, eastern production manager.

The shorts will feature notables of the film world, at work and play, with commentary by Miss Hopper. First in the series is now before the cameras at the Hal Roach Studios, with Herbert Moulton producing.

'Hardy' at $22,500; Snow Hurts Capital

Washington, March 18. — The worst snowstorm of the Winter turned downtown streets into seas of slush and cut heavily into business. Boxoffice leader was "Andy Hardy's Private Secretary," combined with a stage bill at Loew's Capitol, which took $22,500.

Estimated takings for the week ending March 12-13:

"Western Union" (20th-Fox)
LOEW'S PALACE — (2,300) (39c-55c) 7 days. Gross: $10,500. (Average, $15,000)

"Andy Hardy's Private Secretary" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Larry Adler, Watson Sisters, Alexander & Santos Revue, Thompson Bros. & Norma, Rhythm Rockets. Gross: $22,500. (Average, $15,500)

"Adam Had Four Sons" (Col.)
WARNER'S EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Vikings & Mary Dooley, Ferdinand the Bull, Ralph Olsen & Lynn Shirley, Jeanne Brideson, Roxyettes. Gross: $12,900. (Average, $15,000)

"Mr. and Mrs. Smith" (RKO)
RKO-KEITH's—(1,834) (39c-55c) 7 days, 2nd week. Gross: $9,500. (Average, $8,000)

"Arizona" (Col.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days, return engagement. Gross: $4,200. (Average, $4,500)

"The Philadelphia Story" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $6,000. (Average, $4,000)

'Tobacco' Garners $12,000, Baltimore

Baltimore, March 18. — Stormy weather over the weekend sent business off to a poor start. "Tobacco Road" drew $12,000 at the New and "The Saint in Palm Springs" with a stage show at the Hippodrome drew $20,000.

Estimated takings for the week ending March 13:

"So Ends Our Night" (U. A.)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $10,500. (Average, $10,000)

"Nice Girl?" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. 2nd week. Gross: $8,500. (Average, $9,000)

"Tobacco Road" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $12,000. (Average, $7,000)

"Virginia" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $12,000)

"The Saint in Palm Springs" (RKO)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. Bolstered by stage show of Tommy Dorsey and his Orchestra, plus Pied Pipers and Dorsey's other radio artists. Gross: $20,000. (Average, $14,000)

Ilona Massey Signed

Hollywood, March 18.—Ilona Massey has been signed to a long term starring contract by Edward Small. Her first assignment will be a leading role in "G-Man vs. Scotland Yard," which Small will produce for United Artists release.

NAB Appoints Committee for Ascap Parleys

(*Continued from page 1*)

ready to discuss the matter as soon as the broadcasters are.

The committee is headed by Neville Miller, president of the N.A.B. and BMI. Others are Edwin W. Craig, WSM, Nashville; Walter J. Damm, WTMJ, Milwaukee; John Elmer, WCBN, Baltimore; Mark Ethridge, WHAS, Louisville; John J. Gillin, Jr., WOW, Omaha; Harold Hough, WBAP, Fort Worth; Herbert Hollister, KANS, Wichita; Edward Klauber, CBS; Paul W. Morency, WTIC, Hartford; Samuel R. Rosenbaum, WFIL, Philadelphia; John Shepard III, Yankee network; Theodore C. Streibert, Mutual; Niles Trammell, NBC, and William West, WTMV, East St. Louis.

Will Suggest Armistice

Ascap has no definite proposals prepared in advance for presentation at the initial meeting. It will, however, make the suggestion that an armistice be declared pending the conferences with the N.A.B. committee and the subsequent negotiations with the networks and stations which will have to follow. Under such armistice, Ascap music would be returned to the air immediately and the subsequent agreement would be made retroactive to the first day of the armistice.

Many broadcasters, however, are firmly opposed to this method because of the belief that it would be difficult to remove Ascap music from the air for a second time if it became necessary to do so because of the breakdown of negotiations.

Individual Consent Needed

The joint meetings will be in the nature of conferences rather than negotiations. If a licensing formula can be reached, it will still be necessary to obtain the consent of the individual stations and networks, and if no agreement is reached with the N.A.B. committee, Ascap will be free to approach such stations and networks for individual contracts.

Ascap officials anticipate that one of the greatest problems involved in the meetings with the N.A.B. will be the future status of BMI. Ascap believes that the broadcasters will make some effort either to dispose of BMI entirely by sale, or drop it and ask Ascap to assume some of the cost. However, some broadcasters believe that the only way radio can hope to have a free market in music is to continue BMI. Ascap officials said they had no suggestions to offer in this matter.

Illinois Bill Would Regulate Ascap Fees

SPRINGFIELD, Ill., March 18.—A measure which would prohibit Ascap from operating in Illinois as an illegal monopoly was introduced in the Assembly here today. The measure would void all existing contracts for public performances of music controlled by organizations such as Ascap, except in instances where the licensee had paid a "reasonable" charge. The bill carries penalties up to $5,000.

Off the Antenna

SENATOR PHELPS PHELPS, WINS commentator, yesterday sponsored a resolution in the New York State legislature praising radio as serving a great public function in bringing cultural entertainment and relaxation to millions in this country. The Phelps resolution asks the Senate to felicitate the U. S. Secretary of State "on completion of an important step in the public interest" in conjunction with the frequency changes effective March 29.

• • •

Purely Personal: *William Spier, formerly producer-director with Batten, Barton, Durstine & Osborn, has been named CBS director of scripts, succeeding Max Wylie, resigned. . . . Raymond F. Guy, NBC engineer, will address the N. Y. Electrical Society on FM tonight. . . . William Rousseau, Young & Rubicam director, became the father of a 7½-pound boy Monday. . . . N. B. McClancy, NBC traffic chief, is in Hollywood on business. . . . Boake Carter, Mutual commentator, will be guest on Walter Compton's "Double or Nothing" over Mutual Sunday. . . . Arch Kepner has been named WQXR chief announcer to succeed William D. Strauss, who joins the Army tomorrow.*

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WHN, second oldest station in New York City, celebrates its 19th birthday today.

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General Electric's two short wave stations in Schenectady, WGEA and WGEO, have made arrangements to have 40 Latin American long wave stations rebroadcast a new Spanish show, "The Old Fashioned Revival Hour," which will be launched Sunday. The program, which is a non-sectarian religious period in Spanish, will be carried by WGEA Sundays from 4 to 4:30 P.M. for the rebroadcasts and will be aired again at 9 P.M. by WGEO for Latin American listeners.

• • •

Program News: *General Mills will sponsor "Hymns of All Churches"* 9:45-10 *A.M. Mondays, Tuesdays and Thursdays over* 33 *CBS stations beginning March* 24. On *Wednesdays and Fridays "Betty Crocker" will be heard under the same sponsorship. . . . Kirkman Soap has renewed "Betty & Bob" for an additional* 13 *weeks, effective April* 7, *over WEAF. . . . S. B. Thomas, Inc., has renewed Don Goddard's* 7:30-7:45 *A.M. newscast Tuesdays, Thursdays and Saturdays over WEAF effective April* 15.

• • •

Film Players on the Air: Dick Powell will co-star with Wendy Barrie on the CBS "Campbell Playhouse" Friday. . . . Myrna Loy will be guest of Edgar Bergen over NBC-Red Sunday. . . . Robert Taylor, Walter Pidgeon and Ruth Hussey will be heard on the CBS "Lux Radio Theatre" Monday. . . . Luise Rainer will appear on "What's Your Idea" over NBC-Red Sunday. . . . Paul Muni will portray Edwin Booth in a new "Cavalcade of America" series over NBC-Red Monday, March 31.

Canadian Press in Fight Against CBC

TORONTO, March 18.—The Canadian Press, news-gathering organization of the daily newspapers in the Dominion, has struck back at the Canadian Broadcasting Corp., following the cancellation of its news service for radio broadcasts over the Government network, by the decision that the Canadian Press bulletin service "may be sold for commercial sponsorship on the air under terms and conditions to be determined by the board of directors."

This is the opening gun in a battle between the cooperative news service, backed by the daily press of the Dominion, and the broadcasting chain of the Canadian Government. Never in harmony because of competitive release of topical material, CBC recently widened the breach through a regulation that commercial sponsorship of newscasts was prohibited and also through the setting up of its own news organization with a staff of editors and reporters, thus terminating an agreement with the Canadian Press.

Form Theatre Firm

SPRINGFIELD, Ill., March 18.—A state charter has been granted to Rio Amusement Corp. of Chicago.

Television Eager for Ascap Peace So Films Can Be Put on the Air

Television interests are looking forward eagerly to the settlement of the broadcasters' dispute with Ascap because of its effect on the use of films over the air. As a curious side issue in the major music battle, telecasters found that most motion pictures, both those made for theatres as well as advertising films, used Ascap compositions for background music.

As a result, few films have been seen on television sets since the first of the year when the Ascap contracts with broadcasters expired. To television, film programs are of the utmost importance because they are relatively inexpensive as compared with studio presentations.

With a settlement of the music fight imminent, television officials are wondering what terms Ascap will seek for the continued use of the society's music on the new medium.

Fly and Roosevelt Talk on FCC Policy

Washington, March 18.—FCC Chairman L. Fly today visited the White House where, he said, he discussed "matters of policy" with President Roosevelt.

Fly would not amplify his statement but it is believed he acquainted the President with the latest developments in television, the monopoly report and other current activities of the commission to indicate to President Roosevelt the nature of the situation which Ray C. Wakefield, new member, will face when he takes office this week.

WMCA Adds Nine Talent Programs

In the first major program realignment since the new management took over WMCA, the station disclosed yesterday that starting next week it will have nine new talent shows presenting 20 broadcasts weekly for a total of seven hours a week.

The major addition will be novelty musical presentations prepared by Joseph Rines, recently appointed musical director who assumes his duties with the station Saturday. Rines will split the studio orchestra into specialized units for popular, serious and novelty programs.

The new programs are "Open House," with Rines and Nita Carol, Jerry Baker and "Mr. Hollywood," Mondays through Fridays, 4:30-5 P.M.; "Curtiss & Colby," a two-piano team with Lucille Johnson, soloist, Mondays, Wednesdays and Fridays, 6:45-7 P.M.; Stuart Allen, formerly a soloist with Richard Himber's band, and an orchestra, Mondays, Wednesdays and Fridays, 7:30-7:45 P.M.; "Memory Lane," with the studio orchestra, Mondays and Fridays, 8:30-9 P.M.; "Concert Hall," recorded popular classics, Mondays through Fridays, 9-9:30 P.M.; a string ensemble, Tuesdays and Thursdays, 6:45-7 P.M.; "Old Ireland," Tuesdays and Thursdays, 7:30-7:45 P.M.; "Tintypes," with Walter Scanlon, soloist, and the studio orchestra, Tuesdays 8:30-8:45 P.M., and "Familiar Waltzes" with the studio orchestra Thursdays, 8:30-9 P.M.

'26 by Corwin' New CBS Workshop Show

Norman Corwin, CBS director-producer, on April 27 will take over the Columbia Workshop program on Sunday evenings for a 26-week series of dramatic presentations. The series will be known as "26 by Corwin." Network officials said this will be the first time that the Workshop has been put in the hands of one director.

In addition to producing and directing the show, Corwin will write original scripts for the programs, and he may take a part in some of them. For the first, he has scheduled a verse play titled "Appointment," in which he plans to do the narration. The program is broadcast 10:30 to 11 P.M., with a repeat for the West Coast.

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Committees on Film Defense Effort Named

Schaefer Heads National Coordinating Group

Heads of 30 industry organizations were named yesterday as members of the Motion Picture Committee Cooperating for National Defense in an enlargement of the group designed to include in its membership representation of all industry elements.

George Schaefer

George J. Schaefer, RKO president, is chairman of the National Coordinating Committee and Francis S. Harmon of the M. P. P. D. A. is coordinator. The national coordinating committee also has been designated to function for the sponsoring committee of 30.

More than 9,000 theatres have signed certificates of cooperation with the committees, and an additional 3,000 theatres are expected to participate, according to Harry Brandt, who has been active in the field organization work among exhibitors.

The 30 members of the national com-

(*Continued on page 4*)

High Court to Hear Anti-Ascap Appeals

Washington, March 19.—The U. S. Supreme Court has directed that arguments on appeals to determine the constitutionality of anti-Ascap legislation enacted by Florida and Nebraska be presented to it concurrently. The hearings are tentatively scheduled for the end of April, and will be the first Supreme Court hearing on the constitutionality of such legislation.

As a result of the procedure prescribed by the high court, the Nebraska hearing will be set back about four weeks. It was originally scheduled for argument April 7.

New York Demands License for Every Coin Film Machine

New York City License Commissioner Paul Moss yesterday announced that he was starting a campaign to compel all coin-in-the-slot film machines to obtain licenses. At the same time he issued an invitation to all manufacturers and distributors to meet with him for the purpose of formulating rules and regulations concerning these machines.

Moss declared that the matter of fees and the character of the place where such machines would be permitted are matters that will be settled in conferences with manufacturers and distributors. He added that the law which requires the licensing of such machines, Chapter 32, Article 2, Sec-

(*Continued on page 4*)

Columbia Six-Month Net Profit $307,006

Columbia Pictures Corp. yesterday reported net profit of $307,006 after all charges and provision for Federal taxes for the six months ended last Dec. 28. The result compares with net profit of $215,582 for the corresponding six months of the preceding year.

The company's working capital continues in a strong position, according

(*Continued on page 7*)

MINN. ANTI-5 BILL SET FOR PASSAGE

U. S. May Contest State Legislation

Trade observers regard the possibility of legislation against the block-of-five provisions of the New York case consent decree, such as the Minnesota proposal, as likely to force the U. S. Department of Justice to try two possible means of overcoming it:

1. By challenging the constitutionality of such legislation in the Federal Courts.

2. By sponsoring enabling legislation through Congress in support of the consent decree provisions. There is a reference in the consent decree terms to this kind of a possibility.

Should the second method be utilized, such Congressional legislation might be sponsored, it is observed, on the basis of superseding the consent decree provisions, thus in effect bringing about as a law that which is now only a voluntary agreement. Such legislation would also supersede state legislation in contradiction with it.

State Senate Committee Approves Measure; Enactment Seen

By ROBERT E. MURPHY

MINNEAPOLIS, March 19.—The Minnesota Senate committee on general legislation today favorably reported the anti-consent decree bill without a dissenting vote. The measure previously was recommended for passage by the House judiciary committee. Enactment of the measure into law is anticipated by observers.

The bill provides for state regulation of the sale and distribution of films, permitting exhibitors to buy a company's full season's output in advance, with the privilege of cancelling 20 per cent on their own judgment, on moral, religious or racial grounds, or for other reasons.

M. A. Levy, Minneapolis branch manager for 20th Century-Fox, told a Senate committee hearing today that exhibitors' statements that distributors had refused to cancel films on religious or moral grounds were untrue. "As a matter of fact," he said, "we have been blamed for refusing to cancel on occasions when exhibitors bought and showed films only for their box-office return."

Eileen DeLong of St. Paul, representing the local Legion of Decency, disagreed with Levy's testimony and named two St. Paul exhibitors who, she said, cancelled bookings of "Strange Cargo" at financial loss to themselves because the Legion had objected to the film.

David Shearer, counsel for 20th Century-Fox, Warners, RKO and

(*Continued on page 4*)

Ga. Block Selling Bill Is Seen Dead

Atlanta, March 19.— Georgia's bill to invalidate the block-of-five sales provision of the industry consent decree by requiring full line selling within the state is regarded by observers here as "dead" for this session of the legislature.

Although passed by the Senate, there is virtually no prospect of House action on the measure before adjournment, it is said.

F. C. C. Orders Probe on Papers' FM Ownership

WASHINGTON, March 19.—Public hearings and an investigation to determine the policy to be adopted with respect to the ownership of FM stations by newspapers were ordered today by the FCC.

The date for the hearings has not been determined but the commission explained that its objective will be to decide whether joint control of newspapers and broadcasting stations tends to result in an impairment of radio service under the standard of public interest, convenience and necessity.

It was pointed out that the question of newspaper ownership of stations has long been debated before the commission and elsewhere and has been an issue in a number of specific cases and that, in the past, licenses have been denied to newspapers where there was another well qualified applicant for the same facilities.

"In undertaking public hearings, the commission does not imply that it is opposed to newspaper ownership of radio stations in general or in any particular situation," it was stated. "The purpose of the hearings and the

(*Continued on page 9*)

Start Television Hearings Today

WASHINGTON, March 19.—With most of the major issues settled by agreement or compromise, the FCC tomorrow will open what are expected to be the final hearings on the question of standards and commercialization of television. Many believe that the industry will be given the word to go ahead with the date probably fixed for the Fall.

FCC officials indicated tonight that there are few questions on which there will be any controversy. One of the questions which may not be decided immediately is that of color, the probability being that the FCC will leave the matter of color standards open for

(*Continued on page 9*)

Coast Flashes

Hollywood, March 19.

THE RKO series based on "The Saint" will be made in England, it was announced today, and will be supplanted on the domestic schedule with a series of detective mysteries built from Michael Arlen's novel, "The Gay Falcon," starring George Sanders and Wendy Barrie.

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Samuel Broidy, Monogram sales manager, arrived here today from New York to confer on 1941-'42 program. He will remain for the Coast convention late in April.

•

J. R. Wheeler and E. V. Callow, winners of the 1940 Quigley Awards for showmanship, will be among those making the trip on the *S. S. America* to San Francisco as guests of Warners Friday and Saturday, during which "The Sea Wolf" will be screened.

•

Universal today purchased "The Man Who Lived Alone," story by Sonya Levien, for a Joe Pasternak production starring Margaret Sullavan.

•

Patric Knowles, sergeant-pilot in the Canadian air force, now on four weeks furlough, was signed today by RKO for a featured role in "Parachute Battalion."

More Committees for Variety Club Meeting

Several additional committees have been appointed for the National Variety Club Convention May 15-17 in Atlantic City by John H. Harris, national chief barker. The committees and their chairmen are: registration, George F. Weilland, Philadelphia; boardwalk decoration, Henry I. Waxman, Atlantic City; ticket and coupon book, Jay Emanuel, Philadelphia, and meeting rooms, Henry Friedman, Ardmore, Pa.

Schnitzer's Son to Marry on Sunday

Gerald Schnitzer, son of Edward Schnitzer, Eastern district manager of Warner Bros., and Mrs. Schnitzer, and Janet Feiler, daughter of Mr. and Mrs. Herbert Feiler of New York, will be married in Hollywood on Sunday. Mr. and Mrs. Schnitzer left Tuesday by train to attend the wedding. Gerald Schnitzer is a writer at the Universal studio.

Detroit Clearance Decision Reserved

DETROIT, March 19.—With hearings completed today in Circuit Court here on the RKO Uptown injunction suit against United Detroit Theatres, decision was reserved and is expected to be handed down in a few days. Briefs were submitted at the conclusion of the hearing. The case, which involves clearance, includes as defendants Paramount and United Artists.

Personal Mention

COLVIN BROWN, vice-president and general manager of Quigley Publications, arrived on the Coast yesterday.

•

W. A. SCULLY, Universal vice president and general sale manager, left Florida yesterday on a business trip through the South. He is expected here early next week.

•

SI SEADLER, M-G-M advertising manager, is expected Monday from a visit to the Coast, which included a a vacation.

•

HANK KAUFMAN, Columbia's manager of exchange operations, has returned from a tour of company branches.

•

RICHARD A. ROWLAND is in town from the Coast.

•

GILBERT GOLDEN of the Warner home office advertising department, has returned from Florida.

•

LOU WEINBERG, MAX WEISFELDT, BEN BERNIE and SOL EDWARDS having lunch yesterday at Lindy's (next to the Rivoli).

•

MARVIN SCHENCK, EARLE HAMMONS, EMANUEL SILVERSTONE, EUGENE CASTLE, WALTER READE, JAMES A. CRON. RAY GALLAGHER, JOE GALLAGHER, LOU POLLOCK, HANK LINET, RAY BELL and NORTON RITCHEY lunching yesterday at the Tavern.

NATE J. BLUMBERG, Universal president, and JOSEPH H. SEIDELMAN, vice-president and foreign manager, will leave for Panama by boat next Thursday, to be gone about two weeks.

•

NED E. DEPINET, RKO vice-president and distribution head, has returned from the Coast.

•

MOE SANDERS, office manager at the 20th Century-Fox exchange here, left yesterday for Florida.

•

HARRY BRANDT is due Monday from Miami.

•

ALEC ARNSWALDER, booker at the M-G-M exchange here, is on jury duty.

•

BORIS MORROS, ADOLPH ZUKOR, STANTON GRIFFIS, R. B. WILBY, BARNEY BALABAN, SAM SHAIN, LEONARD GOLDENSON, AUSTIN KEOUGH, JOHN D. HERTZ, JR., C. J. SCOLLARD, TOBY GRUEN, GEORGE DEMBOW, SIDNEY PHILLIPS, JOHN GOLDEN, DAVID PALFREYMAN and DENNIS KING lunching at Sardi's yesterday.

•

JACK GOETZ, LOU BRANDT and FRED ALLEN at Lindy's (51st St.) yesterday for lunch.

•

HOWARD DIETZ, WILLIAM BRANDT, MAX A. COHEN, CHARLES E. MCCARTHY and MILTON KUSELL at Nick's Hunting Room in the Astor for lunch yesterday.

Ga. Senate Passes Sunday Local Option Films Bill

ATLANTA, March 19.—The Georgia Senate has passed a bill permitting Sunday films on a local option basis in communities where 25 per cent of the voters sign a petition requesting them.

Passage of the measure followed bitter political wrangling in which efforts were made five times to defeat it by parliamentary means. Roll calls were demanded by opponents on each parliamentary move. But it passed.

The bill, as it was sent to the House, permits a petition of 25 per cent of the voters in any community to legalize Sunday films or prohibit them. Only one referendum a year of this type may be taken.

At present film theatres may operate on Sunday only when most of the proceeds are donated to charity.

Denver Showmen To Honor Wanger

DENVER, March 19.—Walter Wanger will be guest of honor and chief speaker at the annual founder's day of the Rocky Mountain Screen Club here on March 28. The day will begin with a luncheon, followed by a series of events for showmen culminating in a dinner-dance and a coast-to-coast broadcast in the evening.

Film Machines Face Levy in Minnesota

MINNEAPOLIS, March 19.—Coin machine films, coin phonographs and other mechanical entertainment devices henceforth will pay at least some public revenue.

Up to now machines have not been taxed because operators of places where they are located disclaim ownership. The state Senate Tax Committee, however, has approved a bill which permits assessors to class all such machines found on the premises as personal property, and therefore taxable against the place itself.

Sol Wurtzel Returns

HOLLYWOOD, March 19.—Sol M. Wurtzel, executive producer for 20th Century-Fox, has returned to the studio after a three-months business and pleasure trip through Central and South America. He was accompanied by Mrs. Wurtzel, Lester Ziffren, 20th Century-Fox writer, and Mrs. Ziffren.

'Topper' Set for Capitol

"Topper Returns," Hal Roach production released by United Artists, goes into the Capitol on Broadway following "Rage in Heaven," which opens at the theatre today.

Impressed

Helena, Mont, March 19

FRANK PRATT, manager of the Rio here, will take his horse operas sitting down from now on—if possible. With Jack Edwards, manager of the Marlow, he went on a 15-mile cross-country equestrian excursion last week.

"But there's more to being a cowboy than living in the West," Pratt groaned. "T[illegible] experience impressed [illegible] deeply."

Child Performer Bill Is Killed in Albany

ALBANY, March 19.—The Ehrlich-Hampton bill prohibiting the employment of children under 16 in theatrical performances, was killed today in a committee of the New York Assembly, following passage earlier in the week by the State Senate.

However, Assemblyman Harold B. Ehrlich today sponsored a new measure, authorizing local boards of education to issue written permits in advance to allow such performances when employment is not harmful to the morals or education of the children. The bill is said to clear up existing difficulties under the present law in many communities.

Among other bills killed were the Bennett chain store measure, which included circuits and several anti-discrimination measures. The proposed business turnover tax of one-tenth of one per cent of gross. including admissions, was amended to apply only to New York City. The bill making it unlawful to refuse admission to any person over 21 was reported out in amended form.

RKO Building New Forest Hills House

The RKO Circuit will construct a new 2,000-seat theatre at Queens Boulevard and 71st Road, Forest Hills, which, it is expected, will be opened about Christmas. Ground breaking is scheduled to start May 1. Charles Lee of Los Angeles and Thomas Lamb of this city are the architects.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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"Sometimes there's a terrible penalty for telling the truth . . ."

ETTE

DAVIS

may now be booked

for EASTER WEEK

engagements in her

stunning new triumph

The Great LIE

GEO. BRENT · MARY ASTOR

LUCILE WATSON • HATTIE McDANIEL • *DIRECTED BY EDMUND GOULDING*

Screen Play by Lenore Coffee • From a Novel by Polan Banks • Music by Max Steiner

WARNERS, of course!

Committees Named for Film Defense Aid

British Trade Faces Reform By Legislation

LONDON, March 19.—The British Government will impose by legislation reforms it has requested in film distribution and exhibition methods if the present studies being given the question by the trade fail to result in measures meeting the Government's requirements, according to general industry belief.

Officials of the Kinematograph Renters Society (distributors) have expressed the belief, however, that jointly with the Cinematograph Exhibitors Association a formula can be achieved which will be satisfactory to the Board of Trade, Government agency which seeks the changes.

Trade circles believe that the circuits are the key to the situation, and that their cooperation will be needed. Although most of the problems are felt to be chiefly in exhibition, the KRS nevertheless is prepared to give all possible assistance in reaching a solution.

Meantime, all factors in the trade are giving serious consideration to the Government's request. The KRS today resumed its session adjourned from yesterday at which an exhaustive study of the Board of Trade's request was undertaken. The distributor group is expected to meet in joint session with CEA representatives in the near future.

Minn. Anti-5 Bill Set for Passage

(*Continued from page* 1)

Loew's, asserted that passage of the bill would make an "island" of Minnesota in film operations, since adjustments of sales methods would be too costly and burdensome for the four companies to undertake in the one state, while operating elsewhere under the decree.

Fred Strom, secretary of Northwest Allied, which sponsored the measure, outlined the bill and the consent decree before the committee, and cited figures from a poll of theatre owners which showed that 92 per cent, both independent and affiliated, were opposed to the decree.

The committee's action ended long and frequently heated debate on the measure in legislative hearings. United Artists, not a party to the decree, appeared at one stage of the hearings in opposition to the measure on the ground that its producers' films were sold separately and it therefore could not operate on a required block selling method.

Resumes First Runs

MONTREAL, March 19.—The Strand here formerly a first run theatre, and until recently under the banner of N. L. Nathanson's United Amusements Ltd., playing second runs, will experiment again with first runs. The house seats 750.

Defense Groups Include All Branches of Industry

(*Continued from page* 1)

mittee, all serving as official representatives of the organizations which they head, and the various other committees follow.

Sponsoring Groups

Motion Picture Committee Cooperating for National Defense:

Edward Arnold, president, Screen Actors' Guild; Barney Balaban, president, Paramount; Nate J. Blumberg, president, Universal; Harry Brandt, president, Independent Theatre Owners Association; Frank Capra, president, Screen Directors' Guild; I. E. Chadwick, president, Independent Motion Picture Producers Association; James P. Clark, president, National Film Carriers; Harry Cohn, president, Columbia; H. A. Cole, president, Allied States Association; Y. Frank Freeman, president, Association of Motion Picture Producers; Sheridan Gibney, president, Screen Writers' Guild; James R. Grainger, president, Republic; John H. Harris, president, National Variety Clubs; Will H. Hays, president, Motion Picture Producers and Distributors of America.

Company Chiefs Serve

Emery Huse, president, Society of Motion Picture Engineers; W. Ray Johnston, president, Monogram; Sidney R. Kent, president, Twentieth Century-Fox; Edward L. Kuykendall, president, Motion Picture Theatre Owners of America; Frank W. Lovejoy, president, Eastman Kodak; Robert H. Poole, executive secretary, Pacific Coast Conference of Independent Theatre Owners; Herman Robbins, president, National Screen Service; George J. Schaefer, president, RKO.

Nicholas M. Schenck, president, Loew's; Maurice Silverstone, president, United Artists; T. Kennedy Stevenson, president, Electrical Research Products, Inc.; W. G. Van Schmus, managing director, Radio City Music Hall; G. K. Throckmorton, president, RCA Manufacturing Co.; Walter Wanger, president, Academy of Motion Picture Arts and Sciences; Harry M. Warner, president, Warner Bros.; Herbert J. Yates, president, Consolidated Film Industries.

Coordinating Unit

National Coordinating Committee:

George J. Schaefer, chairman; Francis S. Harmon, coordinator; Barney Balaban, Joseph H. Hazen, William C. Michel, Nicholas Schenck, Walter Vincent, R. B. Wilby, Nathan Yamins, Joseph Bernhard, chairman theatres division, ex-officio; Y. Frank Freeman, chairman production division, ex-officio; E. B. Hatrick, chairman newsreel division, ex-officio; Martin Quigley, chairman trade press division, ex-officio; William A. Scully, chairman distributors' division, ex-officio.

Division Committees

The personnel of the various divisions follows:

Production Division — Y. Frank Freeman, chairman; Sam Briskin, E. J. Mannix, Sol Lesser, Hal Wallis, Walter Wanger, Darryl F. Zanuck, producers; Jack Chertok, Gordon Hollingshead, short subjects; Frank Capra, Directors Guild; Edward Arnold, Actors Guild; Sheridan Gibney, Writers Guild; Fred Beetson, AMPP; Richard Day. art direction; Nathan Levinson, Edward Hanson, sound; John Arnold, camera; John Nickolaus, laboratory; Alfred Newman, music; Charles Boren, Fred Myers, industrial relations; Howard Strickling, Robert Taplinger, public relations; Mendel Silberberg, counsel; Jock Lawrence, secretary.

Distributors Division — W. A. Scully, chairman; Neil F. Agnew, George Dembow, Ned E. Depinet, William F. Rodgers, Gradwell L. Sears, Herman Wobber.

Newsreel Division — E. B. Hatrick, chairman; Louis de Rochemont, Thomas Mead, Albert J. Richard, Walton C. Ament, Truman Talley.

Trade Press Division — Martin Quigley, chairman; Jack Alicoate, Jay Emanuel, John C. Flinn, Charles E. Lewis, Ben Shlyen, Arthur Ungar, William R. Wilkerson.

Theatres Division — Joseph Bernhard, chairman; E. V. Richards, co-chairman; A. H. Blank, Harry Brandt, Si H. Fabian, John H. Harris, E. L. Kuykendall, Charles C. Moskowitz, Sam E. Morris, John J. O'Connor, R. J. O'Donnell, Spyros Skouras, R. B. Wilby, Nathan Yamins.

Theatres Sub-Committees

Sub-committees of the Theatres Division are as follows:

Coordinating—R. B. Wilby, chairman; A. H. Blank, Charles C. Moskowitz, E. V. Richards, Spyros Skouras.

Organization — Harry Brandt, chairman; John H. Harris, E. L. Kuykendall, John J. O'Connor, Nathan Yamins.

Field Organization — John Balaban, E. C. Beatty, Carl Buermele, William F. Crockett, Jay Emanuel, Si H. Fabian, Harold Fitzgerald, John Friedl, Julius Gordon, L. C. Griffith, Harry Kalmine, Jack Kirsch, E. L. Kuykendall, Ike Libson, M. A. Lightman, Frank Newman, R. J. O'Donnell, Samuel Pinanski, Robert H. Poole, Elmer Rhoden, Rick Ricketson, Samuel Rinzler, John Rugar, Meyer Schine, Fred Schwartz, Mort Singer, William Skirball, Charles Skouras, Roy Walker.

Publicity — Oscar Doob, chairman; Harry Brand, Harry Goldberg, Claude F. Lee, Harry Mandel, Aubrey Schenck.

Finance—Si H. Fabian, chairman and treasurer; Nathan Yamins, Leonard Goldenson, E. L. Kuykendall, Spyros Skouras.

D.W.I. House Opens

The West End Theatre at Willemstadt, Curacao, Dutch West Indies, opened recently, with "Spring Parade," Universal film, as the opening attraction, according to J. H. Seidelman, Universal foreign vice-president.

First Complaint Is Filed in Pittsburgh

The first demand for arbitration filed with the Pittsburgh board was entered yesterday by Herman Lorence, operator of the 18th Street Thea[illegible] Erie, Pa., against Warners, RKO, 20th Century-Fox and Paramount.

The complaint asks "some run" for the 18th Street, and names the American Theatre, Erie, as an interested party. Lorence gave notice with the demand that he would argue the case himself when it goes to hearing. Plaintiffs in all cases heard or set for hearing thus far are represented by counsel.

Pittsburgh is the sixteenth local board to receive a complaint since the 31 tribunals were opened on Feb. 1. The case was the 32nd filed to date. No complaints have been entered at 15 of the boards.

Sefton Darr Named Capital Arbitrator

WASHINGTON, March 19.—Sefton Darr, former president of the District of Columbia Bar Association, today was selected as arbitrator for the clearance complaint of the Westway Theatre, Baltimore, against 20th Century-Fox, Loew's and Warners, which names the Edgewood Theatre, Baltimore. Hearing has been tentatively set for April 8.

Hearing March 25 In Denver Complaint

DENVER, March 19. — Hearing has been set for March 25 on the arbitration complaint of J. J. Goodstein Enterprises, Inc., against Loew's, Paramount and 20th Century-Fox on inability to obtain sufficient product. The Fox, Longmont, Colo., is also named. George D. Begole, former Denver mayor, is arbitrator.

N. Y. Will License Coin Film Machines

(*Continued from page* 1)

tion B32-22.0 of the Administrative Code, left the size of the fee to his discretion.

The Commissioner disclosed that agents of his department as well as the police have been instructed to watch for the first appearance of the machines but that none has been seen in the city thus far. One of the questions to be decided, Moss said, is whether the manufacturer or distributor shall obtain the licenses for the machines or whether each individual location where the machines are placed shall be licensed.

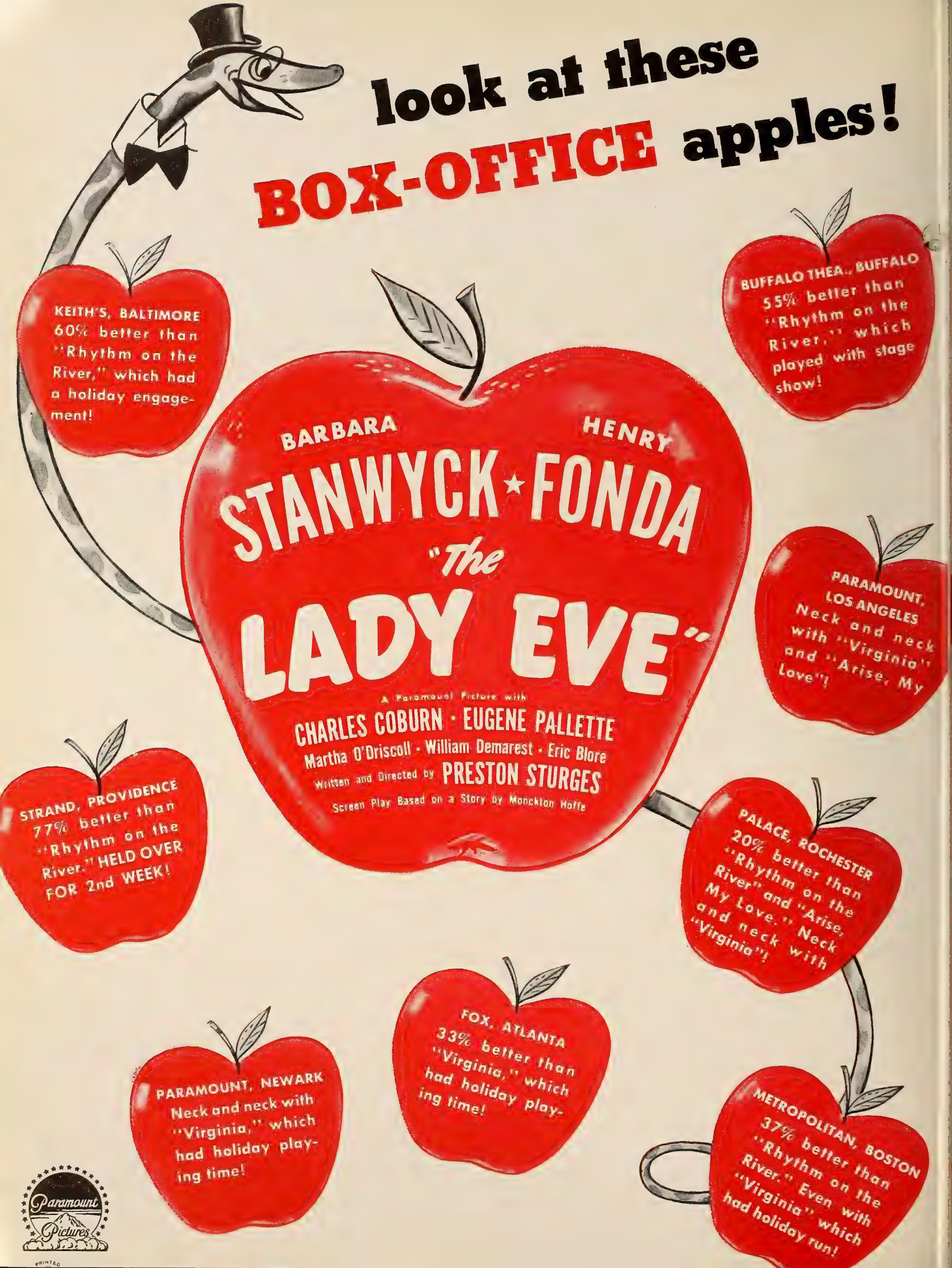
The Administrative Code defines motion picture as "a display on a screen or other device of pictures or objects in motion or rapidly changing scenery whether or not such display shall be accompanied by lecture, recitation or music." Moss said that television sets apparently came within this definition but that his department is withholding its ruling pending clarification of the status of television by the FCC.

It's a great EVEnt from coast to coast!

Paramount's
"THE LADY EVE"

EVEntually you'll cut yourself in for a slice of those "LADY EVE" profits . . .

Why not NOW!



look at these BOX-OFFICE apples!

BARBARA STANWYCK ★ HENRY FONDA

"The LADY EVE"

A Paramount Picture with

CHARLES COBURN · EUGENE PALLETTE

Martha O'Driscoll · William Demarest · Eric Blore

Written and Directed by PRESTON STURGES

Screen Play Based on a Story by Monckton Hoffe

KEITH'S, BALTIMORE 60% better than "Rhythm on the River," which had a holiday engagement!

BUFFALO THEA., BUFFALO 55% better than "Rhythm on the River," which played with stage show!

PARAMOUNT, LOS ANGELES Neck and neck with "Virginia" and "Arise, My Love"!

STRAND, PROVIDENCE 77% better than "Rhythm on the River." HELD OVER FOR 2nd WEEK!

PALACE, ROCHESTER 20% better than "Rhythm on the River" and "Arise, My Love." Neck and neck with "Virginia"!

PARAMOUNT, NEWARK Neck and neck with "Virginia," which had holiday playing time!

FOX, ATLANTA 33% better than "Virginia," which had holiday playing time!

METROPOLITAN, BOSTON 37% better than "Rhythm on the River." Even with "Virginia" which had holiday run!

Paramount Pictures

'Blonde' and O'Brien Show Hit in Chicago

CHICAGO, March 19.—Headlining a stage show, Pat O'Brien, plus "Strawberry Blonde" grossed $40,000 at the Chicago theatre. At the Oriental "Dancing on a Dime" with the "Pan American Follies" on the stage grossed $17,500.

Estimated receipts for the week ending March 14:

"Fantasia" (Disney)
APOLLO—(1,400) (75c-$1.10-$1.65) 7 days, 3rd week. Gross: $12,500. (Average, $6,500)

"Strawberry Blonde" (W. B.)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage: Pat O'Brien and stage show. Gross: $40,000. (Average, $32,000)

"Victory" (Para.)
GARRICK — (1,000) (35c-55c-75c) 7 days. Gross: $3,500. (Average, $5,000)

"Dancing on a Dime" (Para.)
ORIENTAL — (3,200) (25c-40c) 7 days. Stage: Pan American Follies. Gross: $17,500. (Average, $13,000)

"Back Street" (Univ.) (4 days)
"Madame LaZonga" (Univ.) (4 days)
"Mr. and Mrs. Smith" (RKO) (3 days)
"Scattergood Baines" (RKO) (3 days)
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $13,000. (Average, $13,000)

"Gone with the Wind" (M-G-M)
ROOSEVELT — (1,500) (35c-55c-75c) 2nd week. Gross: $11,000. (Average, $11,000)

"Invisible Woman" (Univ.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Milt Britton Band—Patricia Ellis. Gross: $17,000. (Average, $15,000)

"Come Live With Me" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 2nd week. Gross: $10,000. (Average $14,000)

British Film Leads Toronto Grosses

TORONTO, March 19.—"I See Ice," British film, with George Formby, led with $12,400 at the Uptown. The Imperial Theatre registered $11,300 with "Strawberry Blonde."

Estimated receipts for the week ending March 15:

"Strawberry Blonde" (W. B.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $11,300. (Average, $9,000)

"The Philadelphia Story" (M-G-M)
LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days, 3rd week. Gross: $7,500. (Average, $9,000)

"Tall, Dark and Handsome" (20th-Fox)
"Ride, Kelly, Ride" (20th-Fox)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $8,000. (Average, $7,500)

"Kitty Foyle" (RKO)
"Dreaming Out Loud" (RKO)
TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $4,100. (Average, $3,900)

"I See Ice" (British)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $12,400. (Average, $9,000)

'Road' at $11,000 In Indianapolis

INDIANAPOLIS, March 19.—"Tobacco Road" brought a smash $11,000 to the Indiana and was held. Jan Savitt's band and "Flight from Destiny" did $9,000 at the Lyric.

Estimated takings for the week ending March 14:

"Buck Privates" (Univ.)
"Where Did You Get That Girl" (Univ.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $5,700. (Average, $6,000)

"Tobacco Road" (20th-Fox)
"Play Girl" (RKO)
INDIANA — (3,200) (28c-33c-44c) 7 days. Gross: $11,000. (Average, $6,000)

"The Son of Monte Cristo" (U. A.)
"Keeping Company" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $6,700. (Average, $7,000)

"Flight from Destiny" (W. B.)
LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: Jan Savitt and his Top Hatters, with Allan DeWitt, Four Toppers, Jack Palmer, Al Lepol. Gross: $9,000. (Average, $8,000)

Feature Review

"Las Vegas Nights"

(Paramount)

WHERE there are jitterbugs in abundance the exhibitor has an item of salable merchandise in "Las Vegas Nights." Chief reason is the presence in the cast of Tommy Dorsey, one of the idols of the jitterbugs, and his orchestra.

Dorsey is seen at length in the film, leading his orchestra and playing his trombone in solo. Three numbers which receive special attention in the script, and which probably are scheduled for considerable attention are: "Dolores," "Mary, Mary, Quite Contrary" and "I Gotta Ride."

The material with which Dorsey is surrounded cannot be considered a contribution of note to the art of the screen. It appears to be a sort of pseudo-musical comedy, with Bert Wheeler, Phil Regan, Constance Moore, Virginia Dale, Lillian Cornell and Hank Ladd featured.

The setting is Las Vegas, Nev., where Wheeler and the three girls come to collect the inheritance of one and to perform their vaudeville act. They run into Ladd, a shady lawyer, who wants the property they are to inherit; Regan, wealthy young ranch owner, and Dorsey, who conducts the chief night club in what is represented as a very wide-open town.

Wheeler is engaging with his comedy antics, Regan and Miss Moore provide the romance and Dorsey the music, with vocal assistance from others of the cast. Ralph Murphy directed.

Running time, 89 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

'Hardy' at $13,000 High in Cincinnati

CINCINNATI, March 19. — "Andy Hardy's Private Secretary" gave the RKO Palace a big $13,000, and Keith's had $4,800 for the third week of "Strawberry Blonde." A stage show helped "Golden Hoofs" to $12,000 at the RKO Shubert.

Estimated takings for the week ending March 12-15:

"Tobacco Road" (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,700. (Average, $12,000)

"Andy Hardy's Private Secretary" (M-G-M)
RKO PALACE—(1,270) (33c-40c-50c) 7 days. Gross: $13,000. (Average, $10,000)

"Golden Hoofs" (20th-Fox)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Screwballs of 1941." Gross: $12,000. (Average, $12,000)

"Nice Girl?" (Univ.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $5,500)

"The Trial of Mary Dugan" (M-G-M)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $3,500. (Average, $5,000)

"Virginia" (Para.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $3,000. (Average, $4,500)

"Arkansas Judge" (Rep.)
"The Devil Commands" (Col.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Jennie" (20th-Fox)
"Along the Rio Grande" (RKO)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

"Strawberry Blonde" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 3rd week. Gross: $4,800. (Average, $5,000)

Columbia Six Month Net Profit $307,006

(Continued from page 1)

to Harry Cohn, president. Current assets on Dec. 28 were approximately $12,672,000, and current liabilities $2,009,000, leaving net working capital of $10,663,000, he reported.

Cohn stated that foreign revenues which have not been converted into dollars are not included in the report, and assets of foreign subsidiaries located where dollar conversions are impossible, as in Japan, Spain and Denmark, have been completely charged off.

Milwaukee's Best Is 'Wind,' $11,400

MILWAUKEE, March 19. — Grosses were generally up for the week with "Gone with the Wind" at Fox's Palace the leader with $11,400. "Blackout" and Ray Herbeck's orchestra at the Riverside took $9,300.

Estimated takings for the week ending March 11-13:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (40c-55c) 7 days. Gross: $11,400. (Average, $4,000)

"Blackout" (U. A.)
RIVERSIDE — (2,700) (28c-44c) 7 days. Stage: Ray Herbeck's orchestra. Gross: $9,300. (Average, $6,500)

"Andy Hardy's Private Secretary" (M-G-M)
"Night Train" (20th-Fox)
STRAND — (1,400) (30c-40c-55c) 7 days. Gross: $2,000. (Average, $1,500)

"Footsteps in the Dark" (W. B.)
"Buck Privates" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,600. (Average, $4,500)

"Tobacco Road" (20th-Fox)
"Michael Shayne, Private Detective" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $8,800. (Average, $5,500)

'Blackout' at $4,100 In Montreal Slump

MONTREAL, March 19.—"Blackout" and "Margie" at the Orpheum formed the only program to do better than average business, with $4,100. Bad weather was largely responsible.

Estimated takings for the week ending March 13:

"Blackout" (U. A.)
"Margie" (Univ.)
ORPHEUM — (1,000) (30c-43c) 7 days. Gross: $4,100. (Average, $4,000)

"The Philadelphia Story" (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 4th week. Gross: $3,300. (Average, $7,000)

"Honeymoon for Three" (W. B.)
"Father's Son" (W. B.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,300. (Average, $2,500)

"Mr. and Mrs. Smith" (RKO)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $6,500. (Average, $7,000)

"Tall, Dark and Handsome" (20th-Fox)
"Ride, Kelly, Ride" (20th-Fox)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $3,800. (Average, $4,000)

'Road' Takes $26,800 at 2 L. A. Houses

LOS ANGELES, March 19.—"Tobacco Road" and "Murder Among Friends" drew a total of $26,800 at two theatres, with $10,300 at the Chinese and $16,500 at Loew's State.

Estimated receipts for the week ending March 12:

"Tobacco Road" (20th-Fox)
"Murder Among Friends" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $10,300. (Average, $12,500)

"Fantasia" (RKO)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 6th week. Gross: $12,500. (Average, $17,000)

"Gone With the Wind" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $5,000. (Average, $3,250)

"Back Street" (Univ.)
"Double Date" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $6,800. (Average, $6,500)

"Tobacco Road" (20th-Fox)
"Murder Among Friends" (20th Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $16,500. (Average, $14,000)

"Back Street" (Univ.)
"Double Date" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $6,800. (Average, $7,000)

"The Hard-Boiled Canary" (Para.)
"Buck Privates" (Univ.)
PARAMOUNT — (3,595) (33c-44c-55c-75c) 7 days. Stage: Ralph Edwards' "Truth or Consequences." Gross: $14,500. (Average, $18,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (44c-55c) 7 days, 3rd week. Gross: $10,900.

"Footsteps in the Dark" (W. B.)
"Here Comes Happiness" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $8,400. (Average, $14,000)

"Footsteps in the Dark" (W. B.)
"Here Comes Happiness" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $9,100. (Average, $12,000)

'Tobacco' Smash $32,000 in Detroit

DETROIT, March 19. — "Tobacco Road" at the Fox led a booming week here with $32,000. The Michigan, with "Four Mothers" and "Earl Carroll's Vanities" on the stage grossed $24,000 while "Gone With the Wind" in its fourth week at the United Artists reaped $13,000.

Estimated takings for the week ending March 13:

"Western Union" (20th-Fox)
"Adam Had Four Sons" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $5,500)

'Back Street" (Univ.)
"This Thing Called Love" (Col.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Tobacco Road" (20th-Fox)
"Murder Among Friends" (20th-Fox)
FOX — (5,000) (20c-44c-55c-65c) 7 days. Gross: $32,000. (Average, $15,000)

"Four Mothers" (W. B.)
MICHIGAN — (4,000) (15c-39c-44c-55c-65c) 7 days. On Stage: Earl Carroll's "Vanities" with Bert Wheeler, Hank Ladd, Bob Williams, and Red Dust, Francetta Malloy, The Biltmorettes, Reginald Craig, Georgio, Beryl Cameron, Artie Rice, Jetsa Parker, Virginia Maples, Rosemary Randall and Frakson the Magician. Gross: $24,000. (Average, $12,000)

"Virginia" (Para.)
"Victory" (Para.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $7,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (44c-55c) 7 days, 4th week. Gross: $13,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON—(1,400) (75c-$1.10-$1.65). Gross: $14,000. (Average, $10,000)

MOTION PICTURE DAILY'S BOOKING CHART

ates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After itles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 21	Adam Had Four Sons (D) Meet Boston Blackie (D)	Andy Hardy's Private Secretary (C) 126		Virginia (O) *F. MacMurray* *M. Carroll*	Prairie Pioneers (O) 065 3 *Mesquiteers*	Scattergood Baines (D) 123 *Guy Kibbee* *Dink Trout*	Western Union (D) 126 *Scott-Jagger* *Robert Young*	Cheers for Miss Bishop (D) *Martha Scott* *William Gargan*	Nice Girl (D) *Deanna Durbin* *Franchot Tone*	Strawberry Blonde (D) *James Cagney* *O. De Havilland*
Feb. 28	Blondie Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	Monster and the Girl (D) *Ellen Drew* *Rod Cameron*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*	Citizen Kane (D) 118 *Orson Welles*	Murder Among Friends (D) *M. Weaver* *John Hubbard*		Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) 128 *R. Montgomery* *I. Bergman*		The Hard-Boiled Canary (M) 4020 *Allan Jones*	Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) 133 *C. Grapewin* *Gene Tierney*	The Great Dictator (C) *Chas. Chaplin* *Goddard-Oakie*	Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14		The Penalty (D) 129 *L. Barrymore* *Edward Arnold*	Flying Wild (D) *Leo Gorcey* *Bobby Jordan*	In Old Colorado (O) 4052 *Boyd-Hayden*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *John Hubbard* 132		Double Date (D) *Peggy Moran* *Rand Brooks*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*			The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) 135 *Walter Huston* *Jane Russell*	Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Sign of the Wolf (D) *Grace Bradley* *Michael Whalen*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	Washington Melodrama (D) *Frank Morgan*		Roundup (O) *Richard Dix* *Pat. Morison*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*		Mutiny in the Arctic (D) *Richard Arlen* *Andy Devine*	A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) *Mickey Rooney* *Spencer Tracy*		Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) 2-Gun Sheriff (O)	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*		Lady from Cheyenne (O) *Loretta Young* *Robert Preston*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd* *Russell Hayden*	Pals of the Pecos (O) 3 *Mesquiteers*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*		Flame of New Orleans (D) *M. Dietrich* *Bruce Cabot*	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Under Age (D) *Nan Grey* *Alan Baxter*		Tumbledown Ranch in Arizona (O) Phantom Monster (D)	Power Dive (D) *Richard Arlen* *Jean Parker*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Inspector Hornleigh Goes To It (D) *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Model Wife (D) *Joan Blondell* *Dick Powell*	The Wagons Roll at Night (D) *H. Bogart* *Sylvia Sidney*
May 2	Chain Gang (D) They Dare Not Love (D)		Widows of the Press (D) *Jean Parker* *Wallace Ford*	Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	Lady from New Orleans (D) *John Wayne* *Ona Munson*	Hurry, Charlie, Hurry (C) *Leon Errol*	Great American Broadcast (M) *Alice Faye* *Oakie-Payne*		Black Cat (D) *Basil Rathbone* *Hugh Herbert*	
May 9	Her First Beau (C) *Jane Withers* *Jackie Cooper*		Human Ghost (D) *Judy Kelly* *Keneth Kent*		Singing Hills (O) *Gene Autry* *Smiley Burnette*	Tom, Dick and Harry (C) *Ginger Rogers* *George Murphy*				

The SHORTS of the month... PARAMOUNT, of course!

March 7
Popeye the Sailor
'OLIVE'S SWEEPSTAKE TICKET'

March 14
Animated Antics Cartoon
'TWINKLETOES GETS THE BIRD'

March 21
Fascinating Journeys
'DELHI'
(Technicolor)

March 21
Headliner
'BOB CHESTER and his ORCHESTRA'

100% BOX OFFICE TESTED!

Ascap-N.A.B. Conferences Begin Today

Conferences will begin at 10 A. M. this morning between the committee of 15 appointed for the National Association of Broadcasters and an eight-man committee appointed by Ascap in an effort to settle the music war which has been fought since Jan. 1. The meeting will take place at the Hotel Roosevelt.

The N.A.B. group held a preliminary conference yesterday, following which Neville Miller, N.A.B. president, telephoned Gene Buck, Ascap head, and arranged the appointment. The Ascap committee consists of Buck, John G. Paine, E. C. Mills, Walter Fischer, Oscar Hammerstein II, Irving Caesar, John O'Connor and Herman Starr.

Neither side would reveal its demands or suggestions to be made. The joint meetings will be held for the purpose of laying a basis upon which individual networks and stations will later sign with Ascap.

Meanwhile the impression grew stronger among radio officials yesterday that Mutual would be the first to fall in line with Ascap. Executives from stations affiliated with Mutual started arriving here yesterday and there will be a meeting of all stockholder stations at the Hotel Ambassador tomorrow to discuss the Ascap situation.

Off the Antenna

MERLE PITT, WNEW music director, has had his studio orchestra seriously disrupted by the drafting of Phil Krauss who played the vibra-harp. Of about 20,000 members of Local 802, only eight vibraharpists are listed, all of them steadily employed. Only two classifications have fewer men listed than the vibra-harp category, according to Pitt. They are Swiss handbell players and players of the viola da gamba, of which there are only one each.

Some interesting statistics are appended by Pitt. There are 3,080 who play the violin; 2,835 saxophone; 1,195 drums; 1,954 cornet and trumpet; 3,368 pianists; 1,025 trombone; 875 bass violin; 534 clarinet; 245 flute and piccolo; 210 French horn; 170 oboe; 86 bassoon; 175 viola; 455 cello; 780 guitar; 455 accordion; 234 banjo, and 105 tuba.

• • •

Purely Personal: *Bert Lee, WHN announcer, left for Detroit yesterday to cover the hockey games . . . Pete Cassel has been added to the entertainment staff of WSB, Atlanta . . . Cliff Corbett, WNEW engineering supervisor, will marry Margaret Gabriel of the station's sales department March 29 . . . Thomas Tart has been named head of the Ritz Theatre studio by NBC. John Mills, who held that post, is now guest relations operations supervisor. George M. Nelson has been named supervisor of the mail and messenger service, with John Wahlstrom as his assistant . . . Warren M. Pack and William De Mauro of the publicity staff of WYNC are authors of "All Around the Town," dramatic program heard Saturday* 1:45—2 *P. M. on the station . . . Douglas Way, former chief engineer for WJJD, Chicago, and WFBM, Indianapolis, has joined WWRL for a series of news programs.*

• • •

WOR has installed a facsimile receiver at Fort Dix and each Tuesday between 2 and 4 A. M. transmits an edition for the soldiers at the camp. Most of the material is culled from the "Reception Center Gazette," published by the trainees. Pvt. Charles Davidson, formerly a WOR engineer, made the arrangements.

• • •

Louella Parsons will start her "Hollywood Premieres" series March 28 with a tabloid dramatization of "Flame of New Orleans," a Universal film, with the stars of the picture, Marlene Dietrich and Bruce Cabot, scheduled to be heard in their roles. Lever Bros., on behalf of Lifebuoy Soap, is sponsoring the series, 10—10:30 P.M. Fridays over 71 CBS stations.

U.S. Watches Broadcasts From Abroad

WASHINGTON, March 19.—Continuous monitoring of foreign broadcasts entering the United States to detect subversive and other pertinent propaganda has been initiated by the Defense Communications Board, it was disclosed today.

The work will be done by the FCC which will have a picked force of 350 technicians, translators, propaganda analysts and other experts working in eight-hour shifts to keep abreast of all overseas broadcasts which may involve propaganda intended for persons in the United States or neighboring countries.

The question of radio propaganda by the axis countries has been under study for some time, it was learned. The newly established "listening posts" will provide material for further study but no decision has been made whether counter action is necessary or what action could be taken.

Two Set for LeBaron

HOLLYWOOD, March 19.—William LeBaron, whose first film as a 20th Century-Fox producer is "Caribbean Cruise," will next produce "Miss Pilgrim's Progress" and "A Straight Left."

Start Television Hearings Today

(Continued from page 1)

consideration when color is further advanced.

Some difference of opinion over standards and operating regulations is expected but officials are confident that the differences can be adjusted without difficulty.

It is understood that officials believe that television development has reached the point where public participation is justified but it is expected that standards will not be tied down so completely that they cannot be modified as further progress is made.

The military value of television is regarded here as an important argument for commercialization. Although some experimentation has taken place along military lines, it is felt that commercialization will encourage further development.

Additional requests for time to be heard at the sessions were filed with the commission today by John Reed Porterfield, Metropolitan Television, Telechordon Laboratories and General Television Corp.

Kaye Sues on Contract

Sammy Kaye, orchestra leader, yesterday filed suit in N. Y. Supreme Court for $12,500 damages against Eli E. Oberstein, Charles M. Hemenway, Lowell A. Mayberry, and Sidney Newman, charging breach of a contract made by Kaye with United States Record Corp. The company filed reorganization proceedings after making the contract.

F.C.C. Authorizes Power Increase

WASHINGTON, March 19.—The Federal Communications Commission has authorized Station KFOR, Lincoln, Neb., to increase its night power from 100 to 250 watts.

Hearings were ordered held at dates to be set later on the applications of Stations WDAS, Philadelphia, for change of frequency from 1,370 to 1,260 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and KDRO, Sedalia, Mo., for change of frequency from 1,500 to 800 kilocycles, change of time from unlimited to day and increase of power from 250 to 1,000 watts.

F.C.C. Orders Probe On Newspapers' FM

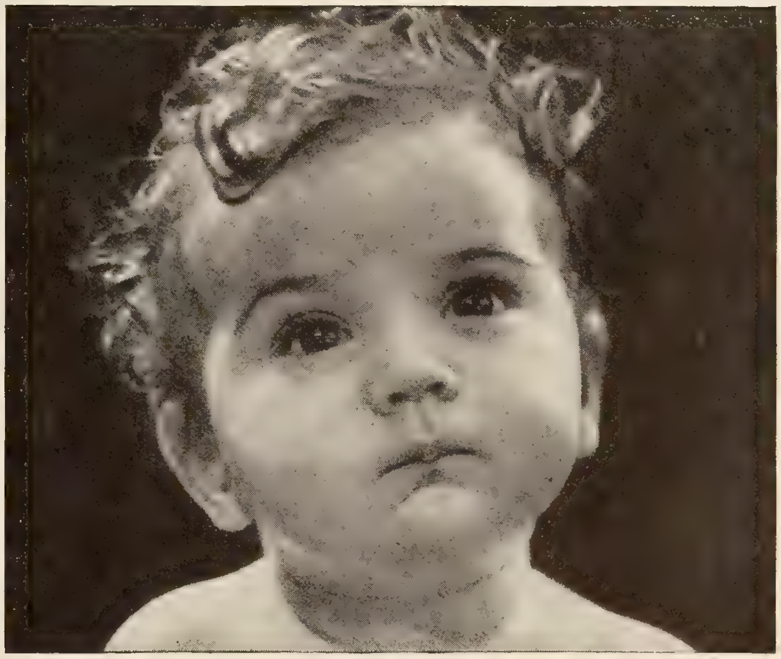
(Continued from page 1)

investigation is to obtain for the commission sufficient information so that it will have a rational basis for the determination of future cases."

Approximately one-fourth of the FM applications filed have been submitted by newspaper interests, it was disclosed. In the standard broadcast field more than one-third of the stations are identified with newspapers to a greater or lesser extent and at least 100 are owned by publishers with more than one newspaper and more than one radio station connection.

WSGN Studio Moves

BIRMINGHAM, ALA., March 19.—Station WSGN here has moved into its new studios in the Dixie Carlton Hotel. Henry Johnston is president.



"M-m! THAT'S WORTH REAL THOUGHT!"

Smart showmen know they can rely on regular Altec service—sound and booth parts service—to keep the show hitting the sheet top-quality-wise—which is box-office-wise in any showman's language. But that isn't all! Altec's high-standard service protects the exhibitor's money-investment in his present equipment, and when the need for future modernization comes, exhibitors know they can rely on Altec's technical advice on buying new equipment. Change to Altec today.

ALTEC
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CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

200 GREATER NEW YORK THEATRES TO PLAY "THIS IS ENGLAND" WEEK OF MARCH 27!

BIGGEST DAY-AND-DATE BOOKING IN SHORT-SUBJECT HISTORY!

Radio City Music Hall · Paramount
Roxy · Strand · Criterion · Globe
Rialto · Palace · Bryant · New York
Trans-Lux · Embassy · Grand Central
Airlines *and all leading neighborhood houses in Manhattan...Bronx...Brooklyn ...Long Island...northern New Jersey*

THIS IS ENGLAND

(one reel)

★ ***Special International Broadcast!***

By arrangement with CBS! Murrow will describe "THIS IS ENGLAND" 6:45 p.m., E.S.T., Wed., March 26th . . . Direct from London...Coast to Coast!

TO BE RELEASED NATIONALLY IN KEY CITIES APRIL 3! REST OF THE COUNTRY . . . APRIL 10!

★

Proceeds of distribution are being turned over by Columbia to the "Spitfire Fund" of the R.A.F.!

with *"on the spot"* narration by
ED MURROW
European director of the Columbia Broadcasting System... The amazingly dramatic story of Britain girding for battle!

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COLUMBIA
SHORT-SUBJECT
PRESENTATION

RESERVE YOUR PRINT NOW!

Cinescope Release

Alert,
Intelligent
and
Indispensable
to the Motion
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Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
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and
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L. 49. NO. 56 NEW YORK, U. S. A., FRIDAY, MARCH 21, 1941 TEN CENTS

DuMont Urges Television Be Kept Flexible

FCC Standards Hearing Opens in Capital

WASHINGTON, March 20.—Allen B. DuMont, testifying before the FCC today at the opening of hearings on commercialization and standards for television, urged that standards be left flexible so that development work may be continued unhampered. DuMont advocated commercial operation at an early date.

Possible shortages of trained technicians and necessary materials needed for the defense program were cited by CBS representatives as a factor to

(Continued on page 10)

Skouras Weighs Decentralization

Decentralization of film buying for National Theatres, of which Spyros Skouras is operating head, is being given consideration by top executives of the circuit. If the plan is decided upon, the New York home office would continue to supervise buying and retain the authority to approve contracts.

Most of the buying for the National Theatres divisions is done by the New York office. Under consideration is to

(Continued on page 4)

K-A-O Nets $780,004; B. F Keith $543,614

Keith-Albee-Orpheum Corp. and subsidiaries yesterday reported net profit of $780,004 for 1940 after all charges and provision for taxes. For 1939 the corresponding figure was $976,627.

K-A-O's 1940 income amounted to $14,966,601, of which $13,293,852 was theatre admissions. Expenses amounted to $12,900,493, of which $3,989,240 was film cost. Operating expenses and theatre overhead were $4,888,818 and salaries and wages $3,551,073.

Current assets are reported at $2,989,353, of which $2,923,433 is cash. Current liabilities amounted to $1,295,320.

B. F. Keith Corp. and subsidiary companies yesterday reported net profit of $543,614 for 1940, after all charges. Net profit for 1939 was $575,271.

Loew's Settles Third Exhibitor Complaint

Loew's yesterday effected its third settlement of an arbitration complaint prior to hearing by granting a run to Joseph's Drive-In Theatre, Austin, Tex.

Loew's, therefore, has been eliminated from the Drive-In's arbitration complaint for "some run," which was filed with the Dallas local board. Warners and 20th Century-Fox, also named in the complaint, remain as respondents.

Loew's previously had settled complaints by Paulston, Inc., Nashua, N. H., and with the Charles Theatre, La Plata, Md., both for "some run."

Every Picture Can Be Sold, Ampa Is Advised by Mayer

By SHERWIN A. KANE

No picture is so bad that it can't be sold, even though the exhibitor may be obliged to forsake dignity and the "use of white space" in his advertising in order to sell it.

That was the message which Arthur Mayer, operator of the Rialto on Broadway, where the kind of pictures to which he had reference always may find a haven, delivered to members and guests of Ampa at a luncheon meeting at the Hotel Edison yesterday.

"If the Rialto waited until it got good pictures to advertise, it would never advertise at all," Mayer said. "I claim to be America's leading expert in selling bad pictures. It's so

(Continued on page 4)

CHICAGO FIRST RUN CASE IS DISMISSED

Arbitrator Rules Ken Theatre Complaint For Clearance and Run Cannot Be Arbitrated Before September 1

By IRVING YERGIN

CHICAGO, March 20.—In the first arbitration case of its kind of record to be so decided, Charles P. Megan, arbitrator, in the case of the Ken Theatre, on Chicago's South Side, against RKO, Paramount and 20th Century-Fox, dismissed the complaint for lack of jurisdiction, on grounds that the questions of clearance and run involved cannot be arbitrated prior to next Sept. 1. Schoendstadt Theatres was an intervenor in the case.

The motion to dismiss was made by Eli Fink, of the law firm of Spitz & Adcock, representing Paramount and RKO; Aaron Stein, counsel for the Schoenstadts, and Felix Jenkins, of New York, general counsel of 20th Century-Fox. The dismissal was granted following a brief recess during which Megan examined the decree sections cited on behalf of the motion.

Megan held that since the complaint involved a request for first run, it failed to come within the provisions of either

(Continued on page 4)

Georgia Anti-5 Bill Due to Be VotedonToday

ATLANTA, March 20.—A motion to consider Georgia's anti-block-of-five bill on the floor of the House was carried today by a vote of 75 to 43. The bill is expected to be voted on by the House tomorrow after failure of an attempt to bring it to a vote today.

Opponents of the measure, which has been passed by the Senate but was rejected by a House committee, claim sufficient votes to kill it. They also claim the governor opposes it.

Representatives of parent-teachers associations and women's clubs appeared in the House today in opposition to the measure. The bill would invalidate the industry consent decree in this state and would require all distributors to offer their full season's product program, with a 20 per cent cancellation privilege, to the exhibitor.

Army, Navy Heads Will Attend 'Wings'

Industry executives and trade paper representatives will attend the opening of Paramount's "I Wanted Wings" at the Astor Theatre on Wednesday evening, in addition to many ranking Army and Navy officers, stage and screen stars, members of society and a Hollywood delegation.

Paramount officials at the premiere will include Barney Balaban, Stanton Griffis, Adolph Zukor, John Hertz, Harvey Gibson, Neil Agnew, John Hicks, R. M. Gillham, Charles Reagan, Joseph J. Unger, George Smith, Paul Raibourn, Arthur Israel, Jr., Oscar Morgan, Duncan Harris, George Weltner, M. S. Russell, Fred Mohrhardt, Louis Phillips, W. B. Cokell,

(Continued on page 4)

Business, Professional Families Are Best Film Customers in New England

Washington, March 20.—Families of independent business and professional men are the exhibitors' best customers in New England, it was reported tonight by the Bureau of Labor Statistics in an analysis of family expenditures in that area.

The survey showed also that there is little difference in the motion picture expenditures of families in large, middle-sized and small cities, although there is less money spent on all recreation in the small communities, due probably to the fact that there are fewer other amusements available.

In general, it was found, average expenditures for motion picture attendance of families in the large cities run from $3 a year in the $500-$750 income group to $29 for the $2,500-$3,000 group; in the middle-sized cities from $3 to $30, and in the small cities from $5 to $29. In the same income groups, the expenditures of the professional and business classes were found to be slightly higher than those of the clerical and wage-earning classes.

In Today's Issue

Broadway and key city grosses of current pictures will be found on Pages 8 and 9. Late news flashes from the Coast, on Page 2.

Coast Flashes

Hollywood, March 20

Y. FRANK FREEMAN, Paramount production head, will leave for New York tomorrow and from there will go to Hot Springs, Va., for the Paramount theatre partners' three-day meeting starting next Thursday.

•

E. A. Thomas and other lessees of the Grand Wilshire Theatre today filed a counter suit against RKO over the repossession of "Primrose Path" and demanded $20,000 damages, half actual and half punitive. The counter suit charged the film was leased for two weeks starting March 1 and that RKO took it back because it acquired new value due to Ginger Rogers' winning the Academy award. RKO filed suit for recovery of the print following the theatre's advertising "Primrose Path" as a sex picture.

•

William A. A. Castellini, president of the Notre Dame Club of Philadelphia, today wired Everett C. Callow, winner of the silver plaque in the 1940 Quigley Showmanship Awards, that "in recognition of your services to University of Notre Dame and the Philadelphia Club" Callow has been elected a member of the club's board of governors. Callow is with Warner Theatres in Philadelphia.

•

John Ardizona today filed a $150,000 damage suit against Olympe Bradna and Paramount alleging his manuscript, "A Bird on a Flying Trapeze" was plagiarized in "Night of Nights." Ardizona said he gave the story to the actress who submitted it to the studio.

•

George Batchellor and Sigmund Neufeld of Producers Releasing Corp., left today for Chicago to attend the company's convention, Saturday and Sunday.

•

Stephen Vanderveer, New York executive for George Pal Productions, making Puppetoon cartoons for Paramount release, arrived today.

New Ft. Houston House

SAN ANTONIO, Tex., March 20.—A second theatre at Fort Sam Houston to accommodate increased enlistments is being built at an estimated cost of $40,000. It will seat about 1,100.

Lindy's
INC.
RESTAURANTS

1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

N. L. NATHANSON is in New York from Toronto.

•

ARTHUR A. LEE leaves for the Coast today.

•

MARTIN MULLIN and SAM PINANSKI are here from Boston for Paramount home office conferences.

•

J. NOBLE BRADEN, executive secretary of the American Arbitration Association, arrived from the Coast yesterday.

•

ADOLPH OSSO, French film producer, formerly associated with Paramount abroad, is en route to New York from Lisbon.

•

JOSEPH MOSKOWITZ, NORMAN ELSON, HARRY GOLD, MARTIN MOSKOWITZ, FLORENCE ELDRIDGE, FREDRIC MARCH and JOSEPH PINCUS at Lindy's (51st St.) yesterday for lunch.

•

LILLA RUTH EVANS, daughter of FRANK EVANS, Altec inspector in Atlantic City, and EDGAR F. HORNER were married this week.

•

MR. and MRS. SAMUEL CALECHMAN of the Howard Theatre, New Haven, are en route to Miami Beach by car.

A-MIKE VOGEL, editor and chairman of Managers' Round Table of *Motion Picture Herald* celebrates a birthday on Sunday.

•

ROBERT WOLFF, MONROE GREENTHAL, AL MARGOLIES, EDWARD PESKAY, EMANUEL SILVERSTONE, MORRIS HELPRIN, MORRIS KINZLER, DAN FRANKEL, SEYMOUR POE and HARRY KOSINER at Lindy's (next to the Rivoli) for lunch yesterday.

•

HARRY FISHMAN of the Community Theatre, Fairfield, Conn., has returned from five weeks in Miami Beach with his family.

•

MRS. LOUIS PRATT, Deep River, Conn., exhibitor, has returned home from the hospital.

•

CHARLES E. McCARTHY, M. A. SCHLESINGER, GEORGE WELTNER, WILLIAM BRANDT, MILTON KUSELL and OWEN DAVIS having lunch yesterday at Nick's Hunting Room in the Astor.

•

LAUDY LAWRENCE, ROBERT MILTON, SIDNEY PHILLIPS, JOHN D. HERTZ, JR., DONALD GIBBS and DAVE BLUM lunching yesterday at Sardi's.

•

HAROLD EKIN, exhibitor in Stamford, Conn., has gone to Florida.

Conn. Taxation Bill Dead This Session

NEW HAVEN, March 20.—The "taxation of motion picture industry" bill, filed in blank as H.B. 2353, was not sponsored nor any full bill substituted at its scheduled hearing before the Judiciary Committee, and therefore will merit no further consideration for this session of the legislature.

Two games bills, one to create a commission to regulate playing of the games throughout the state, and the other to substitute a maximum of $500 cash prizes for the present merchandise prize clause, were heard by the Judiciary Committee today.

Suchman to Take New Post Shortly

Al Suchman, former head film buyer for Consolidated Amusement Enterprises, which has been sold to Julius Joelson, has not joined National Screen Service, as was reported recently. He is remaining in his post at Consolidated, now J. J. Theatres, for a short while merely to clear pending matters, and is expected to announce a new association shortly.

Abbott, Costello Party

Universal will give a cocktail party at 21 Club on Monday for Bud Abbott and Lou Costello, who will leave for the Coast that night to start work on their second picture for the company, "We're in the Navy, Now."

Plan New Orleans House

NEW ORLEANS, March 20.—United Theatres, Inc., plans to construct a $45,000 theatre at St. Claude and Bartholomew Streets here.

Industry Is Aiding Canada War Drive

MONTREAL, March 20. — Canadian exchanges, circuits and independent exhibitors will assist the joint War Services appeal for funds. Y. M. C. A., Canadian Legion, Salvation Army and Knights of Columbus war services will combine their campaign for funds to carry on work among Canadian armed forces.

During the period from tomorrow to April 5, theatres from coast to coast will donate screening time to special trailers produced by Associated Screen Studios to assist the campaign. It is expected that over 800 Canadian theatres will play the special trailer, which will be distribute under direction of the Canadian Film Boards of Trade.

Republic-Saenger Deal

NEW ORLEANS, March 20.—The first large circuit deal for Republic's 1941-'42 program was closed today by James R. Grainger, president, with the Paramount-Richards-Saenger Theatres Corp. Gaston Dureau and John Richards represented the circuit. A. C. Bromberg, Republic's Southern franchise holder, and Leo Seicshnaydre, New Orleans branch manager, sat in on the deal. Grainger left today for St. Louis.

Stearn Joins Schine

ROCHESTER, March 20.—New district manager for Schine here is Harry D. Stearn, who comes to Rochester from Newark, where he was associated with Rapf & Ruden, and Warner Bros.

House Employe Killed

ROCHESTER, March 20. — Charles Parkhurst, house electrician at the Century Theatre here was killed in an automobile accident.

Newsreel Parade

THE big news in the new issues is an account of the surprise British raid on the Lofoten Islands, Norway, whence both traitor and volunteer Norwegians and Nazi prisoners were taken back to England. The films were shipped here on the Atlantic Clipper. *The contents:*

MOVIETONE NEWS, No. 56—British raid on Norwegian coast. Mass production of military trucks in Michigan. Cavalry show in Georgia. Boston fishing vessels frozen in. Giant tent in Washington. Fashions. Bowling congress in St. Paul. Dazzy Vance in retirement. Record snowfall in Virginia.

NEWS OF THE DAY, No. 254—British victory in Norway. Roosevelt dedicates Washington art gallery. Cavalry maneuvers in Georgia. Gale wrecks boat at Fire Island, N. Y. N. Y. fashions. Horse racing. Bowling conference in St. Paul.

PARAMOUNT NEWS, No. 59—Dogs in Minneapolis field trials. Art sales in San Francisco streets. Art statuettes of the late Will Rogers. New navy ship in Boston. Annual show of Columbia University. Fort Oglethorpe field artillery in action. Surprise British raid on the Lofoten Islands.

RKO PATHE NEWS, No. 59—British raid Lofoten Islands. Donovan returns from Europe. Georgia troops in maneuvers. Huge tent covers Washington dam. Boat regatta in Florida. New trucks in army service. Will Rogers' statuettes. Steeplechase race at Pinehurst. Bowling congress in St. Paul.

UNIVERSAL NEWSREEL, No. 964—Cavalry maneuvers in Georgia. Student pilots in Alabama. Speed production of army trucks. Anti-aircraft training in Alabama. New navy ship in Boston. Food ship sails to France. Washington art gallery opens. Big tent over Washington dam. Basketball at Madison Square Garden. Bowling conference in St. Paul.

Building Bill in N. Y. Favorably Reported

ALBANY, March 20.—Assemblyman James J. Wadsworth's bill which provides that plans for construction of public assembly buildings, including theatres, excepting for New York City, be submitted firs to the Industrial Commissioner has survived the committee "kill session" and has been sent to Rules Committee for consideration.

Almost every other bill of interest to theatres so far as labor conditions and statutes are concerned was defeated in the Labor and Industries Committee, before the group completed its work for the session.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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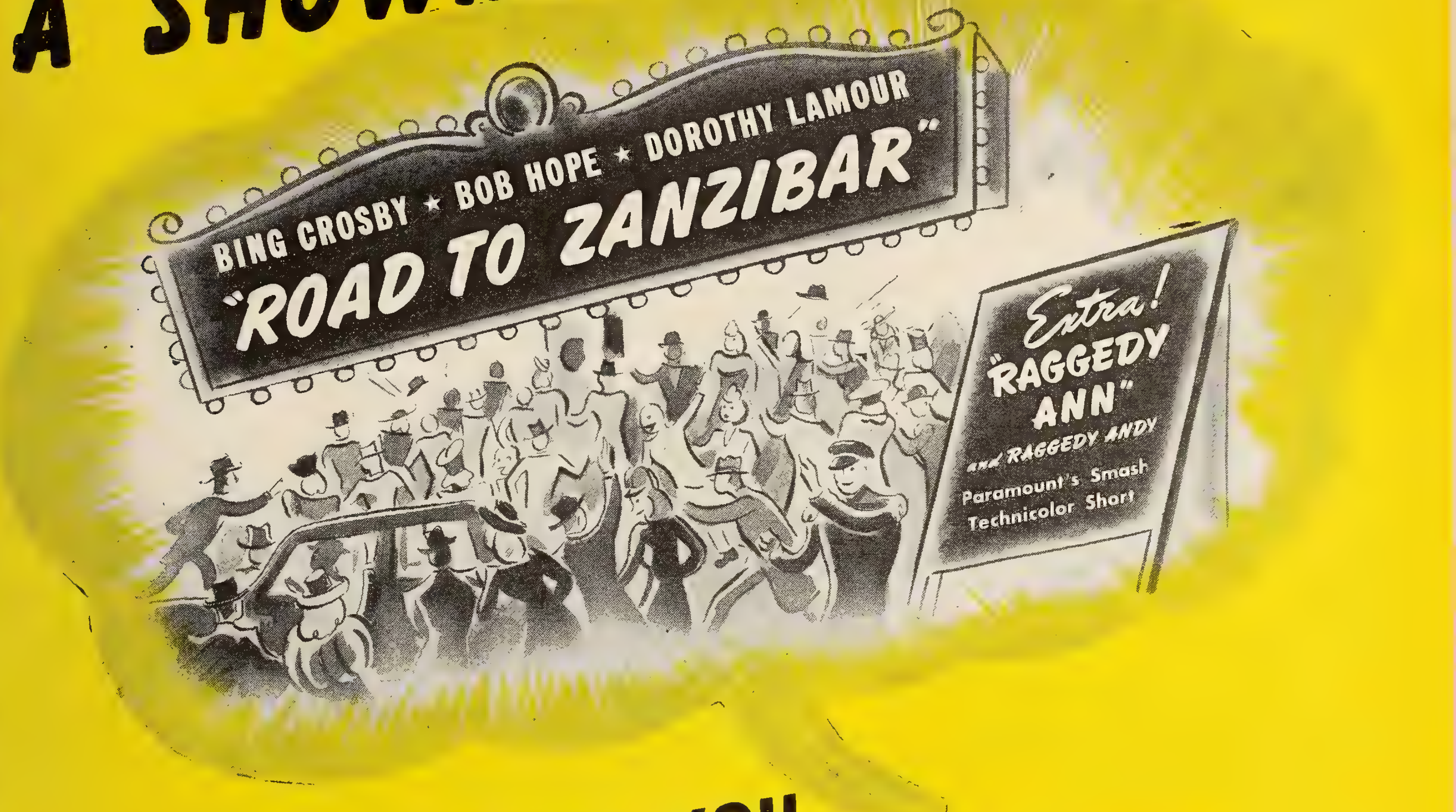
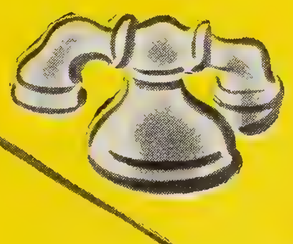
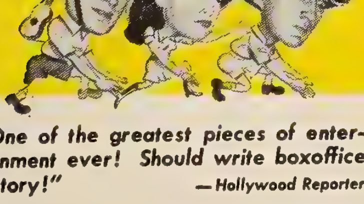
A SHOWMAN'S DREAM!...


BING CROSBY ★ BOB HOPE ★ DOROTHY LAMOUR
"ROAD TO ZANZIBAR"
Extra!
"RAGGEDY ANN"
and RAGGEDY ANDY
Paramount's Smash
Technicolor Short

Paramount gives you the industry's greatest Easter combination!

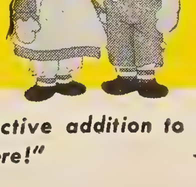




"One of the greatest pieces of entertainment ever! Should write boxoffice history!" —*Hollywood Reporter*

BING CROSBY • BOB HOPE • DOROTHY LAMOUR
"ROAD TO ZANZIBAR"
with Una Merkel • Eric Blore
Screen Play by Frank Butler and Don Hartman
Directed by Victor Schertzinger

+



"A distinctive addition to programs everywhere!" —*M. P. Daily*

"RAGGEDY ANN
and RAGGEDY ANDY"
Adapted from the works written by Johnny Gruelle
A Max Fleischer Cartoon in Technicolor
Direction: Dave Fleischer

= RECORD HOLIDAY GROSSES!

Chicago First Run Complaint Gets Dismissal

(Continued from page 1)

Section 8 or Section 10 of the consent decree and, therefore, cannot be arbitrated before next Sept. 1.

The Ken Theatre is owned by Banowitz & Landis. Alvin Landis, plaintiff's counsel, in his argument alleged that the defendant distributors had granted unreasonable clearance to Schoenstadt's Shakespeare Theatre over the Ken, and then had not given the Ken "reasonable clearance" over Schoenstadt's Pic. He asserted that the Ken paid the same film rental as the Shakespeare, which enjoyed clearance over the former only because it was a part of the sizable Schoenstadt circuit, he said.

In reply, Stein stated that clearance is not run and, therefore, the arbitrator lacked jurisdiction under Section 8, the decree's provisions relating to arbitration of clearance. He pointed out, also, that Section 10 of the decree, covering arbitration of runs, does not become effective until after next Aug. 31.

British May Revise Reserved Listings

LONDON, March 20.—The British Government is expected shortly to take steps to accede to the film industry's request that the plan to revise the reserved classification listing of film technicians be modified.

The industry had feared an acute shortage of technicians in studios and and theatres if the Government plan, which would further have restricted the number of film employes listed as in reserve occupations, were put into effect April 1, as scheduled.

The Government's conciliatory attitude has been indicated in word circulated about Whitehall and in a statement of Ernest Bevins, Minister of Labor, in the House of Commons today. It is believed in the trade that the recent Ministry of Labor statement that the industry situation merited investigation will result in the formation of a committee representing the Ministry and the industry.

Bevin, questioned in Commons today, promised that before a final decision is reached the situation will be thoroughly investigated. The questioning particularly concerned the effect of the new regulations on the output of propaganda films. He declared that even though the age limit might be raised on April 1, it did not necessarily mean that every man would be called up immediately to serve with the armed forces.

$204,320 Paid to Paley During 1940

CBS paid William S. Paley, president, $204,320 in salary during 1940 according to the proxy statement for the annual meeting filed at the N. Y. Stock Exchange yesterday.

One-Man Show

St. John, N. B., March 20

N. W. Mason, owner of the Roseland and Academy here, who is 77, has constituted himself a one-man entertainment source for Canadian service men. When he found that local service camps lacked amusement, he resurrected an old play, "The Old Homestead," and acting as star, director and producer, he plans a road tour for service units. He has been off the stage for about 40 years.

Army, Navy Heads Will Attend 'Wings'

(Continued from page 1)

Claude Lee, Russell Holman, E. A. Brown and G. B. J. Frawley.

Also, William Erbb, Harry H. Goldstein, E. W. Sweigert, Allen Usher, R. C. LiBeau, Hugh Braly, Hugh Owen, J. F. Kirby and Dell Goodman, Paramount district managers to be here for the occasion.

Other representatives of the industry will be: Maurice Silverstone, Joseph Bernhard, J. Cheever Cowdin, Nate J. Blumberg, Jack Cohn, David Bernstein, Arthur Kelly, J. J. O'Connor, William Brandt and Harry Brandt.

Trade paper men will include: Martin Quigley, Sam Shain, Abel Green, Jack Alicoate, Jay Emanuel, Charles Lewis and Maurice Kann.

Army and Navy Men

Among the Army and Navy men and other celebrities scheduled to attend are: Major General Delos Emmons, Commanding General of the U. S. Army Air Force General Headquarters; Madeleine Carroll, Lieut.-Gen. Hugh A. Drum, Commanding General of the First Army; Clarence Chamberlain, transAtlantic flyer; Mary Martin, Major General Henry H. Arnold, Chief of the United States Army Air Corps; Colonel John B. Brooks, Commander of Randolph Field; Robert Patterson, Under Secretary of War; James V. Forrestal, Under Secretary of the Navy; Orson Welles and Dolores Del Rio.

Rear Admiral John H. Rowers, chief of the Bureau of Navy Aeronautics; Major General James E. Chaney, commanding general of Mitchell Field; Roy Howard, Arthur Hays Sulzberger, Miriam Hopkins, Neysa McMein, Katharine Brush, Deems Taylor, Clayton Knight, Willy Pogany, Brigadier General John C. McDonnell, Colonel William E. Kepner, Colonel Douglas Johnston, Moss Hart and Norman Bel Geddes.

LaGuardia Proclaims Week

Guthrie McClintic, Gilbert Miller, Ilka Chase, Brigadier General Irving J. Phillipson, Commanding General of the 11th Corps Area, Brigadier General Francis B. Wilby, chief of staff of the First Army, Harvey Dow Gibson, Cornelius Vanderbilt Whitney Gene Tunney and Colonel William J. Donovan.

Mayor F. H. LaGuardia has proclaimed the week of March 23 to March 29 as "Flying Cadet Week," in connection with the opening of the film at the Astor. The Army is cooperating with the exhibition of one of the newest fighting planes, a Curtiss P-40 pursuit plane, in Times Square. With the plane will be a band, anti-aircraft detachment from Fort Totten and a recruiting trailer truck.

Exhibits of flight training stills from the film will be placed in 25 New York department stores. An "I Wanted Wings" model airplane contest will be sponsored by the Air Youth of America.

Press to See "Wings" In Texas Tomorrow

SAN ANTONIO, March 20.—Approximately 30 newspaper and news photo service representatives will attend the showing of Paramount's "I Wanted Wings" at the post theatre at Randolph Field near here on Saturday. Paramount representatives and Army officers also will attend.

Cliff Lewis, Paramount studio publicity head, and Jack Dailey, district advertising manager, are in charge of arrangements here. An air show, teadance and a dinner for visitors will precede the showing. Veronica Lake, William Holden and Wayne Morris of the film's cast also will attend, as will Fred Starz, Raymond Willi, R. J. O'Donnell and William O'Donnell of Interstate Circuit, Dallas.

Newspaper Men Invited

The following press representatives are scheduled to be present: Jack Moffitt, Kansas City *Star;* Robert Johnson, Memphis *Press Scimitar;* Ward Marsh, Cleveland *Plain Dealer;* John Rosenfield, Dallas *News;* Mark Barron, AP; Martin Kane, UP; William Kelly, INS; Ira Wolfert, North American Newspaper Alliance; Paul Peters, *Life Magazine;* Tony Sande, Acme News Photos; George Alexanderson, Time-Wide World: Sam Shere, INS Photos; Phil Ratnoff, AP.

Jack Gordon, Forth Worth *Press;* Rou Roussel, Houston *Press;* Ben Turner, *Daily Oklahoman;* Mildred Stockard, Houston *Chronicle;* Paul Hochuli, Houston *Press;* Graydon Heartsill, Dallas *Times Herald;* John Booker, Tulsa *World;* Edward Barr, Dallas *Journal;* Robert Gray, Memphis *Commercial Appeal;* Keith Wilson, Omaha *World Herald;* A. Di Bernardi, Jr., Denver *Post;* Donald Thompson, St. Louis *Post Dispatch;* Boyd Martin, Louisville *Courier Journal;* Ken Clayton, Des Moines *Register and Tribune* and Douglas Largen, Jr.

Skouras Weighs Decentralization

(Continued from page 1)

have local or regional buying, and the plan was discussed at the recent annual meeting of National Theatres in California.

If decided upon, the new buying setup would be similar to that used for the last several years by Warner and Paramount theatres.

There has been no indication that Loew's or RKO theatres plan to transfer their film buying from the home office to the field.

Decentralization of film buying by affiliated circuits such as National is not required by the industry consent decree, which stipulates only that the buying, wherever done, must be through the exchange serving the territories in which the theatres are located. The move is being studied by National, it is said, only in the light of its possible advantages in efficiency and economy.

Every Picture Can Be Sold, Ampa Is Advised by Mayer

(Continued from page 1)

long since I played a good one that I don't know anything about them. It was my impression they did not have to be sold. They sell themselves. It's the bad ones we have to sell, and Hollywood gives us plenty of prac doing it."

Mayer related that the Rialto has never played a picture, regardless of what the critics thought about it, that did not meet with favor from some segment of its patronage, and, conversely, never has played a picture which all of its patrons liked.

Urges Vivid Copy

"Therefore," he said, "I believe that we must sell our product, whether we personally consider it good or bad, with warmth and color, with vivid phrases and glowing adjectives. Our patrons have been conditioned to expect such advertising and will respond to nothing less."

Mayer cautioned the advertising men not to take too seriously the current criticisms of industry advertising, and to shy away from emulating the advertising of other industries, pointing out that more and more of them are borrowing lessons in showmanship from film and theatre advertising.

He said he would match the advertising chiefs of this industry with those of any other industry and urged Ampa to establish annual awards for outstanding campaigns, comparable with the production awards of the Academy of Motion Picture Arts & Sciences.

Mayer was introduced by Lou Pollock, Eastern advertising and publicity manager for Universal. Pollock and Jack Guilford of the "Meet the People" cast, who depicted an habitual patron of the Rialto, established the proper atmosphere for Mayer's "message."

Reports on Women's Poll

Agnes Mengel of the Paramount purchasing department reported to the meeting on the results of a recent poll of women's film preferences. The poll was conducted for Paramount and revealed, among other things, that a large majority of women theatre patrons prefer films to the radio and entertainment films to those of social significance.

Leon Bamberger presided. Among those present were: Barney Balaban, Charles D. Prutzman, Neil Agnew, W. Ray Johnston, William Sussman, F. J. A. McCarthy, Leonard Goldenson, Maurice Bergman, Joseph Bernhard, Sam Dembow, Leon Netter, Peyton Gibson, Samuel Machnovitch, Sam Pinanski, Walter Gould, Arthur Israel, Lou Phillips, C. J. Scollard, M. J. Mullin, Hank Linet, Grace Rosenfield, H. M. Richey, Joseph Burstyn, Rutgers Neilson, Oscar Serlin, Boris Morros, Irene Thirer, Harry Thomas, George Smith, Simone Simon, Walter Cokell, Alec Moss, Eddie Klein and G. B. Odlum.

Ned Depinet, RKO vice-president, will be guest speaker at the April 3 Ampa luncheon.

"THAT NIGHT IN RIO" AT THE LINCOLN, MIAMI

—beats "Alexander's Ragtime Band"!

—beats "Jesse James"!

—beats "The Grapes of Wrath"!

—beats "Tobacco Road"!

BEATS EVERYTHING FOR THE BIGGEST WEEK'S BUSINESS IN HISTORY OF THE HOUSE!

and held over a 3rd week at New York's Roxy!

20th CENTURY FOX

THE HOTTEST WORDS IN SHOW BUSINESS ARE

Chaplin now at Po

THE GREAT CHAPLIN .. GREATEST OF ALL BOXOFFICE NAMES FOR 20 YEARS . . GREATER TODAY THAN EVER BEFORE AS "THE GREAT DICTATOR" AT POPULAR PRICES SMASHES ALL KEY CITY RECORDS!

PHILADELPHIA, ***Stanton***
384% of average. Second week bigger than first. Looks like 6 weeks minimum run!

ALBANY, ***Warner's Strand***
All records surpassed. All-time weekday opening house record topped!

UTICA, ***Stanley***
Every record smashed!

PATERSON, ***Fabian***
Every record smashed!

BUFFALO, ***Great Lakes***
Every record smashed!
Held over, of course!

DETROIT, ***Michigan***
Hits $40,000 first week—held over!

SCHENECTADY, ***Proctor's***
Every record smashed!

EDMONTON, ***Rialto***
Every record smashed!

RACINE, ***Rialto***
Every record smashed!

KENOSHA, ***Kenosha***
Every record smashed!

WILLIAMSPORT, ***Rialto***
Every record smashed!

LOEW CIRCUIT
Held over in Akron, Harrisburg, London, Norfolk, Richmond, Washington, Wilmington, Providence and Reading! Watch other Loew openings for more hold-overs!

HAZELTON, ***Capitol***
Every record smashed!

GLENS FALLS, ***Paramount***
Every record smashed!
Held Over!

BINGHAMTON, ***Strand***
Every record smashed!

PASSAIC, ***Montauk***
Every record smashed!

POPULAR PRICES MAKE CHARLIE CHAPLIN MORE POPULAR THAN EVER

ular Prices!

Charlie Chaplin

in his new comedy

The Great DICTATOR

Produced, written and directed by CHARLES CHAPLIN

with **PAULETTE GODDARD**

JACK OAKIE • HENRY DANIELL • REGINALD GARDINER

BILLY GILBERT • MAURICE MOSCOVICH

Released thru UNITED ARTISTS

HOWMEN!

'Doe' in Strong Pace on B'way With $55,000

Despite the buffeting of frigid winds which swept New York this week, grosses on Broadway held to fairly strong levels, the box-office receipts indicate.

"Meet John Doe" paced the field. It drew an estimated $55,000 at two theatres for the first week, which ended Wednesday. The individual grosses were estimated $35,000 at the Rivoli and $20,000 at the Hollywood.

The Radio City Music Hall is holding "Cheers for Miss Bishop" a second week, starting yesterday, after a first week's gross, with a stage show estimated at $77,000. At the Roxy, "That Night in Rio" plus a stage show, is expected to end its second week tonight with $39,000. The third week begins tomorrow.

"Footsteps in the Dark" took an estimated $26,000 in its single week at the Strand ending last night, with Ben Bernie and his orchestra on the stage. It will be replaced starting this morning by "The Sea Wolf" and Charlie Spivak's band. "Night Train" will complete its 12th week at the Globe tonight with an estimated gross of $4,000. It is continuing at the theatre.

'Wind' Mexico City Record Is $84,000

MEXICO CITY, March 19.—"Gone With the Wind," which recently completed a run of seven weeks at the Alameda and three and a half at the Iris, grossed a total of 405,000 pesos ($84,000), of which 350,000 pesos ($71,500) was the Alameda gross, a new record for exhibition in Mexico. The film will not be shown here again for at least a year. The film took $15,500 in the first week at the Alameda.

The use of two theatres, at high admissions of 55 to 67 cents, was not considered successful, since both theatres were to have run the film for six weeks. The Iris dropped it after three, since the greater portion of the business was going to the Alameda, a more comfortable and better equipped house. The record had been held by "Rebecca," which took $32,500 in four weeks. The record for length of run here is still being made by "All This, and Heaven Too," now in its 12th week at the Cine Rex.

'Andy Hardy' Omaha Leader with $7,700

OMAHA, March 20.—"Andy Hardy's Private Secretary" grossed $7,700 at the Omaha for the city's best. The weather was clear and warm.

Estimated takings for the week ending March 11-12:

"Mr. and Mrs. Smith" (RKO)

"Case of the Black Parrot" (W. B.)

BRANDEIS—(1,200) (30c-40c-44c) 7 days, 2nd week. Gross: $3,600. (Average, $4,000)

"Andy Hardy's Private Secretary" (M-G-M)

"Blonde Inspiration" (M-G-M)

OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,700. (Average, $6,000)

"Buck Privates" (Univ.)

"You're the One" (Para.)

ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,800. (Average, $7,200)

New Comedy Opens At Hudson Sunday

A new comedy, "My Fair Ladies," by Marcel Klauber and Arthur Jarrett, opens Sunday night at the Hudson Theatre with Betty Furness, Celeste Holm, Herbert Yost and Russell Hardy in the principal roles. Albert Lewis and Max Siegel produced. Lewis also directed.

SMPE Convention Program Complete

New technical advances in the industry and an all-day session with the Acoustical Society of America, will feature the annual Spring Convention of the Society of Motion Picture Engineers, scheduled for the Sagamore Hotel in Rochester, May 5-8, inclusive. Emery Huse, recently elected president, will preside.

An informal luncheon will feature the first day's session, on Monday, May 5. Technical sessions will be held in the hotel's Glass House each day of the session. The 48th semi-annual banquet and dance has been set for Tuesday evening. W. C. Kunzmann is convention vice-president. Mrs. C. M. Tuttle, convention hostess, has arranged a program for the wives of members.

The convention will conclude following morning and afternoon technical sessions on Thursday. A highlight will be a demonstration of stereophonic sound by Bell Telephone Laboratories at the Eastman Theatre on Wednesday evening. Committee chairmen are: reception, G. A. Blair; registration, W. C. Kunzmann; hotel, F. E. Altman; banquet, I. L. Nixon; projection, H. F. Heidegger; ladies' reception, Mrs. C. M. Tuttle; publicity, Julius Haber.

Cleveland Is Slow; 'Blonde' at $5,100

CLEVELAND, March 20.—"Strawberry Blonde" was the leader here in an extremely slow week, drawing $5,100 at the Allen in its second week. "Tobacco Road" hit $11,600 at the Hippodrome, the only other film to go above average.

Estimated receipts for the week ending March 13:

"Strawberry Blonde" (W. B.)

ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $5,100. (Average, $4,000)

"Tobacco Road" (20th-Fox)

WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $11,600. (Average, $11,000)

"Four Mothers" (W. B.)

RKO PALACE—(3,100) (33c-47c-55c) 7 days. Bobby Byrne's orchestra on stage. Gross: $11,500. (Average, $13,500)

"Come Live With Me" (M-G-M)

LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10,800. (Average, $11,000)

"Maisie Was a Lady" (M-G-M)

LOEW'S STILLMAN—(33c-39c-47c) 7 days. Gross: $3,500. (Average, $4,000)

Roach Suit Examinations

Hal Roach Studios, Inc., yesterday filed notice in U. S. District Court here that it will examine 10 officials of Loew's and M-G-M Distributing Corp. in reference to its suit for $1,263,993. The examinations will be held March 31 at the offices of Schwartz and Frohlich, attorneys for Roach.

'Tobacco' Is Seattle High, With $8,700

SEATTLE, March 20. — "Tobacco Road" at the Fifth Avenue, with little competition from other sources, took $8,700. The weather was warmer than usual, and extremely dry.

Estimated receipts for the week ending March 15:

"Andy Hardy's Private Secretary" (M-G-M)

"Ride, Kelly, Ride" (20th-Fox)

BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,800. (Average, $4,000)

"Tobacco Road" (20th-Fox)

"Play Girl" (RKO)

FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,700. (Average, $7,000)

"This Thing Called Love" (Col.)

"The Phantom Submarine" (Col.)

LIBERTY—(1,800) (30c-40c-50c-65c) 7 days, 5th week. Gross: $4,400. (Average, $5,000)

"Western Union" (20th-Fox)

"The Wild Man of Borneo" (M-G-M)

MUSIC BOX—(950) (30c-40c-50c) 7 days, 3rd week. Gross: $3,200. (Average, $4,000)

"Strawberry Blonde" (W. B.)

"Behind the News" (Rep.)

ORPHEUM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)

"Devil's Pipeline" (Univ.)

"Arkansas Judge" (Repub.)

PALOMAR — (1,500) (20c-30c-40c-50c) 7 days. Garry Nottingham's Band on stage. Gross: $5,600. (Average, $5,000)

"Maisie Was a Lady" (M-G-M)

"Trial of Mary Dugan" (M-G-M)

PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $5,700. (Average, $6,000)

'Road' with $9,000 High in Kansas City

KANSAS CITY, March 20.—"Tobacco Road," at the Esquire and the Uptown, drew $9,000, with $5,200 at the former and $3,800 at the latter. Competition was severe from a police circus, basket-ball tournaments, and an ice show.

Estimated receipts for the week ending March 10-13:

"Tobacco Road" (20th-Fox)

ESQUIRE—(800) (28c-44c) 7 days. Gross: $5,200. (Average, $2,200)

"So Ends Our Night" (U. A.)

Blondie Goes Latin" (Col.)

MIDLAND — (4,000) (28c-44c) 7 days. Gross: $5,500. (Average, $9,500)

"Hard Boiled Canary" (Para.)

"Life With Henry" (Para.)

NEWMAN — (1,900) (28c-44c) 6 days. Gross: $5,500. (Average, 6 days, $6,000)

"High Sierra" (W. B.)

"Play Girl" (RKO)

ORPHEUM—(1,500) (28c-44c) 6 days, 2nd week. Gross: $3,600. (Average, 6 days, $4,200)

"Arkansas Judge" (Rep.)

TOWER — (2,200) (30c) 7 days. Stage: Pepito, Chester Fredericks and Gloria Lane, Wen Hai Chinese Troupe. Gross: $6,000. (Average, $6,000)

"Tobacco Road" (20th-Fox)

UPTOWN—(2,000) (28c-44c) 7 days. Gross: $3,800. (Average, $3,000)

Bill Puts Georgia On Eastern Time

ATLANTA, March 20.—A bill to place the entire state of Georgia on Eastern Standard Time was passed by the House today and sent to the Governor for his signature. It will be effective immediately. Two-thirds of the state is on Eastern time, but Atlanta is on Central time, with daylight saving in the Summer. Exhibitors have opposed such legislation in the past. The House killed the bill earlier in the session, but reconsidered it.

8-Month Revenue On Admission Tax Up to $45,394,103

WASHINGTON, March 20.—Eight months of application of the lower admission tax exemption and improved business have netted the Treasury an additional revenue of $31,334,720, it was disclosed today by the Internal Revenue Bureau.

Federal collections from the admission tax in February totaled $6,495,284, bringing the total for the first eight months of the fiscal year to $45,394,103, it was stated. Collections in February, 1940, were $1,852,764 and for the eight months then ended, $14,059,383.

The February collections were the lowest since last September, representing the effects of three months of declining revenue from the 1940 high of $7,124,225 in November, and were almost exactly $88,000 under the January total of $6,583,278.

In contrast with the trend nationally, collections in the Third New York (Broadway) District increased $303,600 between January and February, from $1,287,553 to $1,591,157, it was reported. Collections in the same month last year increased from $156,901 to $605,031.

Most of the increase was in collections at box-offices, which jumped from $1,212,547 to $1,507,634. Collections from tickets sold by brokers showed a slight loss, from $15,888 to $15,593, and from tickets sold by proprietors in excess of established prices from $151 to nothing. Receipts from the permanent use or lease of boxes and seats increased from $5 to $527 and from roof gardens and cabarets from $58,962 to $67,404.

NY Senate Passes Child Players Bill

ALBANY, March 20.—The State Senate today passed the James-Manning bill exempting from present work restrictions child actors who perform for non-profit organizations or corporations. This applies chiefly to legitimate stage performances by stock and dramatic companies.

Exemption would be granted by written request of the parent and mayor or head of the city or village with notice to prevention of cruelty to children societies.

The Assembly advanced the Wagner outdoor advertising regulation bill and two anti-discrimination measures affecting public business to a third reading for consideration next week.

Assemblyman Wagner indicated he may again amend his outdoor advertising bill. The measure is the mildest and least restrictive of many similar proposals this session.

The pending Burrows anti-discrimination bill sets up proceedings for complainants to file petitions with licensing authorities and authorize hearings. If the offending place is found guilty of the charge, its license under the bill could be suspended for "not less than one month."

Para. Extends Pacts

HOLLYWOOD, March 20. — Paramount has extended the contracts of Fred MacMurray, Paulette Goddard, Betty Field, Virginia Dale and Martha O'Driscoll.

Calloway and 'Chump' Take $13,900 in Hub

BOSTON, March 20. — The Keith Boston garnered $13,900 with the appearance of Cab Calloway and his Cotton Club Revue and "Meet the Chump." The week was otherwise dull, with "So Ends Our Night" at Loew's State and Orpheum the only other attraction to show much appeal.

Estimated takings for the week ending March 12:

"Meet the Chump" (Univ.)
KEITH BOSTON—(3,200) (28c-33c-44c-55c-65c) 7 days. Vaudeville including Cab Calloway and his Cotton Club Revue. Gross: $13,900. (Average, $8,000)
"The Son of Monte Cristo" (U. A.)
"Play Girl" (RKO)
KEITH MEMORIAL — (2,907) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $11,500. (Average, $16,000)
"Footsteps in the Dark" (W. B.)
"Golden Hoofs" (20th-Fox)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. Gross: $14,300. (Average, $15,500)
"Flight from Destiny" (W. B.)
"The Great Mr. Nobody" (W. B.)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days. Gross: $5,700. (Average, $7,500)
"Flight from Destiny" (W. B.)
"The Great Mr. Nobody" (W. B.)
FENWAY—(1,320) (28c-39c-44c-55c) 7 days. Gross: $3,700. (Average, $4,500)
"Western Union" (20th-Fox)
"You're the One" (Para.)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days. Gross: $3,800. (Average, $4,000)
"So Ends Our Night" (U. A.)
"Maisie Was a Lady" (M-G-M)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $12,500. (Average, $12,000)
"So Ends Our Night" (U. A.)
"Maisie Was a Lady" (M-G-M)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days. Gross: $17,300. (Average, $17,500)

'Tobacco Road' at $12,500 in Buffalo

BUFFALO, March 20. — "Tobacco Road" and "Sleepers West" made $12,500 at the Great Lakes, best in a generally good week. "Virginia" and "Life With Henry" continued strong in a second week at the Hippodrome with $8,200.

Estimated takings for the week ending March 15:

"Come Live With Me" (M-G-M)
"Land of Liberty" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $11,300. (Average, $12,000)
"Tobacco Road" (20th-Fox)
"Sleepers West" (20th-Fox)
GREAT LAKES—(3,000) (30c-50c) 7 days. Gross: $12,500. (Average, $7,500)
"Virginia" (Para.)
"Life With Henry" (Para.)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $8,200. (Average, $6,800)
"Convoy" (RKO) (4 days)
"She Couldn't Say No" (W. B.) 4 days
"Strawberry Blonde" (W. B.)
"The Case of the Black Parrot" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days, split week. Gross: $7,500. (Average, $7,500)
"Adam Had Four Sons" (Col.)
"Ellery Queen, Master Detective" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $6,300)

Helena Music Union Seeking Insurance

HELENA, Mont., March 20.—Musicians Protective Union, Local 642, of Helena is seeking to obtain group insurance for its 90 members. Officers of the union are: Donald Williams, president: Arthur Happel, vice-president, and Robert Carroll, secretary-treasurer.

Providence Gives 'Smith' Big $8,000

PROVIDENCE, March 20.—"Mr. and Mrs. Smith" and "Little Men," paired at the RKO-Albee, took a fine $8,000. "Li'l Abner" and a stage show did $7,100 at the Metropolitan, but business elsewhere was only fair, the general complaint being that the big storm cut into business by 50 per cent.

Estimated takings for the week ending March 12-13:

"Mr. and Mrs. Smith" (RKO)
"Little Men" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $8,000. (Average, $6,000)
"Rage in Heaven" (M-G-M)
"Blonde Inspiration" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $9,000. (Average, $11,000)
"Tobacco Road" (20th-Fox)
"The Great Mr. Nobody" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,200. (Average, $7,000)
"The Hard-Boiled Canary" (Para.)
"Texas Rangers Ride Again" (Para.)
STRAND — (2,200) (28c-39c-50c) 7 days. Gross: $4,300. (Average, $6,000)
"Li'l Abner" (RKO)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Bill Robinson; Johnny Long and Orchestra; The Smoothies; Cass Daley; and Robbins Brothers and Mary. Gross: $7,100. (Average, $4,700)
"Along the Rio Grande" (RKO)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with Texas Rangers; Don Costello and Three Byrne Sisters; Elmer Cleve & Co.; Weber Brothers and Conchita; Le Van & Bols. Gross: $4,900. (Average, $5,000)
"Andy Hardy's Private Secretary" (M-G-M)
"The Wild Man of Boreo" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $3,500)
"This Thing Called Love" (Col.) (3 days)
"The Saint in Palm Springs" (RKO) (3 days)
"High Sierra" (W. B.) (4 days)
"You're the One" (Para.) (4 days)
EMPIRE — (1,200) (20c-28c)) 2nd run. Gross: $1,600. (Average, $1,700)

'Andy Hardy' Draws $11,000, Denver Best

DENVER, March 20.—"Andy Hardy's Private Secretary" on a double bill took $11,000 at the RKO Orpheum while "You're the One" with a Major Bowes stage show drew $10,000 at the Denham.

Estimated receipts for the week ending March 4-7:

"Nice Girl" (Univ.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,200. (Average, $2,000)
"You're the One" (Para.)
DENHAM — (1,750) (25c-35c-40c) 7 days. Major Bowes amateur show on the stage. Gross: $10,000. (Average, $6,400)
"Strawberry Blonde" (W. B.)
"Lone Wolf Takes a Chance" (Col.)
DENVER — (2,600) (25c-35c-40c) 7 days. Gross: $10,900. (Average, $8,700)
"Andy Hardy's Private Secretary" (M-G-M)
"Land of Liberty" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $8,700)
"Son of Monte Cristo" (U. A.)
"Meet Boston Blackie" (Col.)
PARAMOUNT — (2,200) (25c-40c) 7 days. Gross: $4,300. (Average, $3,800)
"Western Union (20th-Fox)
"Out West with the Peppers (Col.)
RIALTO—(900) (25c-40c) 7 days, 3rd week. Gross: $2,600. (Average, $2,100)
"Come Live With Me" (M-G-M)
"Play Girl" (RKO)
BROADWAY — (1,040) (40c-50c) 7 days, 2nd week. Gross: $2,600. (Average, $2,500)

Union Holds Smoker

ROCHESTER, March 20.—The local operators' union held its first annual smoker here last night. Charles E. Mason, Harmon J. Smith, Louis Levin, William Ingram, Louis Townsend and Louis B. Goler were in charge of arrangements assisted by Fred Boekhout, business agent.

Mexican Woman Sound Engineer

Mexico City, March 20.—Claiming to be the only woman film sound engineer who is a Mexican and working in Mexico is Consuelo Rodriguez. She is the youngest member of the Mexican family that is well represented in the film industry. She was taught by her two brothers, who are picture sound experts.

'Tobacco Road' Is St. Louis Winner

ST. LOUIS, March 20.—"Tobacco Road" led the city last week, grossing $11,800 at the Fox.

Estimated takings for week ending March 13:

"Come Live With Me" (M-G-M)
"Land of Liberty" (M-G-M)
LOEW'S—(3,162) (28c-39c-44c-56c) 7 days. Gross: $11,500. (Average, $13,000)
"Tobacco Road" (20th-Fox)
"Ride, Kelly, Ride" (20th-Fox)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $11,800. (Average, $11,000)
"Strawberry Blonde" (W. B.)
"Shadows on the Stairs" (W. B.)
AMBASSADOR — (3,018) (28c-39c-44c-56c) 7 days. Gross: $11,500. (Average, $11,500)
"Buck Privates" (Univ.)
"Nice Girl?" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 3rd week. Gross: $5,200. (Average, $4,000)
"Convoy" (RKO)
"Let's Make Music" (RKO)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $2,000. (Average, $2,600)

'Gob' Garners Good $20,500, Leads Frisco

SAN FRANCISCO, March 20.—Aided by world premiere and many stars, plus Carl Brisson on the stage, "A Girl, a Guy and a Gob" soared to $20,500 in the first week at the Golden Gate. "Fantasia" had $15,800 in the second week at the Geary. The weather was excellent.

Estimated receipts for the week ending March 11-15:

"A Girl, a Guy, and a Gob" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $20,500. (Average, $15,000)
"Buck Private" (Univ.)
"Meet Boston Blackie" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 6 days, 2nd week. Gross: $6,500. (Average, $8,000)
"Strawberry Blonde" (W. B.)
"Honeymoon for Three" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $11,500)
"Tobacco Road" (20th-Fox)
"Sleepers West" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $17,000. (Average, $16,000)
"Land of Liberty" (M-G-M)
"Her First Romance" (Mono.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days. Gross: $6,200. (Average, $6,000)
"So Ends Our Night" (U. A.)
UNITED ARTISTS — (1,200) (15c-35c-40c-55c) 7 days. Gross: $8,800. (Average, $8,000)
"Gone With the Wind" (M-G-M)
WARFIELD—(2,680) (25c-40c-55c) 7 days, 4th week. Gross: $10,500. (Average, $12,000)
"Hotel du Nord" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $900. (Average, $1,000)
"Fantasia" (Disney)
GEARY — (1,268) (55c-75c-$1.10-$1.65) 7 days, 2nd week. Gross: $15,800. (Average, $12,000)

LADY FROM NEW ORLEANS
A REPUBLIC PICTURE

JOHN WAYNE: "Up in Rhode Island, we're taught young that honesty's the best policy. I suppose that makes me a prig to you."
ONA MUNSON: "You sure don't kiss like a prig."

JOHN WAYNE • ONA MUNSON
RAY MIDDLETON • HENRY STEPHENSON
HELEN WESTLEY • Bernard Vorhaus—Director

DuMont Urges Television Be Kept Flexible

(Continued from page 1)

be given serious consideration before launching wide-scale television operations.

In the event of a further stiffening of defense requirements, broadcasters might find themselves embarked on television programs for an audience limited by inability to secure receivers, Paul Porter, CBS counsel, told the FCC.

The National Television System Committee submitted its final recommendations through W. R. G. Baker, chairman, who told the commission that they will "make possible the creation of a nationally coordinated television service and at the same time will insure continued development of the art."

Adrian Murphy, CBS executive director of television, urged that the proposed standards make full provision for the unhampered development of color, but denied any desire to hold up commercial operation until it is perfected.

However, he expressed the view that few stations will have the funds necessary for five-hour service, as contemplated in the regulations which are to be issued for commercial operation, and recommended that the broadcasters for a time be permitted to operate as they see fit so as to take advantage of such funds as they had to give the best possible programs.

Exchange Tangles Hockey Broadcast

TORONTO, March 20.—Foreign exchange and passport difficulties have complicated the broadcasting of the National Hockey League playoffs between Toronto and Boston, starting Saturday night. Toronto's games are broadcast over the Canadian Broadcasting Corp. network under sponsorship of Imperial Oil, affiliate of Standard Oil.

Usually, a Toronto crew handles the broadcasts, both home and away. This year, however, Boston announcers and engineers will feed the CBS hookup when games are played in Boston. However, they will be paid in Canadian dollars and Manager Art Ross of Boston has agreed that all money so received shall be spent in Canada during the subsequent playoff series games there.

Film Players to Be On Catholic Program

Irene Dunne, Spencer Tracy, Pat O'Brien, Dennis Day, Geraldine Fitzgerald, Jane Wyatt, Una O'Connor, Jack Haley and Pedro de Cordoba will be guests on "Charity for the Wandering Christ" to be heard 10-10:30 P.M. Sunday over Mutual. The program is one of a series arranged by the Bishops' Relief Committee. William Gargan will be heard as master of ceremonies and Archbishop John J. Cantwell of Los Angeles will speak. Other programs are Monday 5:30-5:45 P.M. on CBS, and Saturday, March 29, 11:30-midnight on NGC-Blue.

Off the Antenna

WOR, having received a 60-day commercial license for its FM station W2XOR from the FCC Wednesday, plans to start commercial operation April 1. The call letters at that time will be changed to W71NY. The high powered transmitter will be ready within the 60-day period, it was said.

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Program News: *Miles Laboratories will start sponsorship next week of John W. Vandercook's newscasts,* 7:15—7:30 *P.M. Mondays through Fridays, over NBC-Red. On Monday* 17 *stations will carry the show, and the hookup will be increased to* 26 *on April* 1. . . . *Two CBS news commentators, Edwin C. Hill and Bob Trout, will shift program time Monday. Hill will be heard* 6—6:10 *P.M. Mondays through Fridays, and Trout will go on the air* 6:10—6:15 *P.M. Mondays, Wednesdays and Fridays. Trout's sponsor, Commercial Credit Co., has renewed the program for* 52 *weeks over* 70 *stations. . . . The "Prof. Quiz" show over CBS, after several conflicting announcements, definitely will shift to Thursdays beginning April.* 3. . . . *Wilbert Newgold's "Garden Journal of the Air," heard over WQXR Mondays, Wednesdays and Fridays* 10:45—10:50 *A.M., will be sponsored by Stumpp & Walter Co., beginning March* 31.

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WMCA, long identified with the cue line, "At the top of your dial," which was changed last year to "First on your dial," this week adopted a third change: "This is America's leading independent station—WMCA, New York."

• • •

Many stations and networks have prepared programs in connection with the change of frequencies March 29 but CBS has one which sounds more ambitious than most. The network will produce a half-hour drama called "Radio Moving Day" on Thursday 10:15—10:45 P.M. to explain the complicated situation to the public.

• • •

Purely Personal: *Lunsford P. Yandell, recently transferred from commercial sales for NBC short wave to the Blue network sales staff, is expected to concentrate on sales for the Pacific Coast Blue. . . . Benny Fields will be guest of Col. Stoopnagle on CBS Sunday.*

• • •

Hubert V. Chain, continuity head of the NBC recording division, yesterday was awarded the Memorial Medal by the Czechoslovakian Government in Exile in recognition of his services in connection with the Lincoln's Birthday broadcast for the American Friends of Czechoslovakia.

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Talent Notes: With the signing of Jack Guilford of "Meet the People" by the William Morris Agency, the latter becomes representative for five members of that show which M-G-M has bought for films. Others under the Morris contract are Nanette Fabares, Peggy Ryan, Jack Williams and Jack Albertson.

• • •

Film Players on the Air: *Roland Young will be guest expert on "Information, Please" at* 8:30 *this evening over NBC-Red. . . . Una Merkel will be guest of Bob Hope over NBC-Red Tuesday at* 10 *P.M. . . . Ann Sothern will be heard on the "Silver Theatre" over CBS Sunday at* 6 *P.M. . . . John Beal will be interviewed by Stanley Richards over WEVD Sunday at* 10:30 *P.M.*

Theatre Changes

Takes Wisconsin House

MAUSTON, Wis., March 20.—W. L. Ainsworth, operator of the Shawano Theatre at Shawano, and the LaBelle at Oconomowoc, will take over the Gail here on March 30.

Reopens Iowa Theatre

MUSCATINE, Ia., March 20.—C. J. Jamison, who closed his Crystal Theatre here some time ago for remodeling, has reopened it under the name of the Iowa Theatre.

To Remodel in Bridgeport

BRIDGEPORT, March 20. — Phil Schwartz is planning to remodel and enlarge his 400-seat Parkway, into a 600-seat modern house this Spring.

Named Assistant Manager

NORFOLK, Va., March 20. — Fred Martin, assistant manager of Loew's State here, until he was drafted recently, will be succeeded by Joseph Margolis, formerly student assistant at the Capitol, Washington.

Altec Signs Circuit

Intermountain Theatres, Inc., has signed with Altec Service Corp. for sound equipment servicing at the Granada, Boise and Ada, all in Boise, Idaho.

Buys Davenport, Ia., House

DAVENPORT, Ia., March 20.—Jack Meyer has bought the Washington Theatre here from Lumir Havlik and will open it as the Time Theatre shortly.

Manager in Wisconsin

CHILTON, Wis., March 20.—Herbert Graef, formerly with Warners in Sheboygan, Wis., has been named manager of the Chilton Theatre here, succeeding Elmer Nitzke.

Remodel Greenville House

GREENVILLE, S. C., March 20.—The Liberty here plans a program of remodeling and redecorating to cost about $7,500.

FCC Grants Permit For Station in Miss.

WASHINGTON, March 20. — The Federal Communications Commission has granted the Natchez Broadcasting Co. a construction permit for a new 1,490-kilocycle, 250 watt broadcasting station at Natchez, Miss., and announced receipt of applications for two other stations, from the San Jose Broadcasting Co. for a 1,490-kilocycle, 250-watt transmitter at San Jose, Cal and the Lexington Broadcasting C for a 1,370-kilocycle, 250-watt transmitter at Lexington, N. C.

Applications also were received from Stations WTEL, Philadelphia, for change of frequency from 1,310 to 1,340 kilocycles and increase in power from 100 to 250 watts; WHAT, Philadelphia, for change of frequency from 1,310 to 1,130 kilocycles, extension of time from sharing to unlimited and increase in power from 100 to 5,000 watts, and KWFT, Wichita Falls, Tex., for increase of night power from 1,000 to 5,000 watts.

The commission ordered hearings on the application of James F. Hopkins, Inc., Detroit, for a new 46,500-kilocycle FM broadcasting station, and the Natchez Radio Corp., Natchez, Miss., for a new 1,370-kilocycle, 250-watt regular broadcasting station.

NAB, Ascap Meet On Peace Terms

Committees of Ascap and the National Association of Broadcasters met at the Hotel Roosevelt yesterday for the first time since the outbreak of the music "war." The meeting was described as a "very helpful discussion in which they exchanged ideas," by a spokesman for the N.A.B., but persons present privately described the meeting as "highly acrimonious."

The session, which lasted about two hours and 20 minutes, adjourned with the understanding that Ascap would prepare definite proposals both on a blanket and per program basis and that another meeting would be held on March 29 or April 1.

Immediately after the meeting the Ascap board held a session to prepare the proposals. The board of BMI also held a brief session after the joint meeting but the business transacted was described as "routine."

Executives of Mutual stations will meet today to determine the network's stand.

NAPA Loses Suit Over Record Use

N. Y. Supreme Court Justice Aron Steuer yesterday dismissed the suit of James J. Walker, as president of the National Association of Performing Artists, for $50,000 damages and an injunction against the Renaissance Ball Room in Harlem. The court gave no opinion, but chose to follow a ruling recently made by the U. S. District Court of Appeals that performing artists could not restrict the use of records to non-commercial purposes. The N.A.P.A. had claimed that the ball room in renting its hall also rented dance records. Walker had contended unsuccessfully that the state court should not follow the Federal court ruling.

As ever, "Motion Picture Herald" stands dominant in the service of the field of exhibition, where films are bought, and retailed, where equipment is bought and operated in presentation of the product to box office patrons

The ratio of circulation in this field of exhibition is:

"The Herald"*	80.2%
Paper "B"	75.5%

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* *Every subscriber receives Motion Picture Herald complete, identical with this issue you have in hand—carrying to each and every reader the whole story of the week in this industry, and all service departments. Subscriptions are on the basic price of $5 a year, for which every subscriber gets the whole book, each week, and every fourth week Better Theatres, authoritative journal of the physical theatre.*

MOTION PICTURE HERALD

FLASH! FLASH! FLASH!

"ADAM HAD FOUR SONS"

HELD OVER SECOND WEEK LAFAYETTE, BUFFALO;

BIJOU, SPRINGFIELD, MASS; E. M. LOEW'S, HARTFORD

RIALTO, ATLANTA! TOP GROSSES AT FOX,

DETROIT; PALACE, CANTON; MALCO, MEMPHIS;

PALACE, YOUNGSTOWN; ORPHEUM, NEW ORLEANS;

EARLE & AMBASSADOR, WASHINGTON; LINCOLN,

MIAMI BEACH; HILL ST.

& PANTAGES, LOS ANGELES!

INGRID **BERGMAN** ★ WARNER **BAXTER**

ADAM HAD FOUR SONS

SUSAN **HAYWARD** · FAY **WRAY** · HELEN **WESTLEY** · RICHARD **DENNING** · JOHNNY **DOWNS** · ROBERT **SHAW**

Based upon "LEGACY", the best-selling novel by Charles Bonner

Screen play by William Hurlbut, Michael Blankfort

A ROBERT SHERWOOD PRODUCTION • Directed by **GREGORY RATOFF**

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Alert,
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Film and
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Brief,
Accurate
and
Impartial

VOL. 49. NO. 57 NEW YORK, U. S. A., MONDAY, MARCH 24, 1941 TEN CENTS

Booking Bill Is Defeated In Ga. House

Independent Exhibitors Lead Opposition

ATLANTA, March 23.—Georgia's anti-blocks-of-five bill which would have invalidated the selling provisions of the industry consent decree in this state, was defeated in the House on Friday by a vote of 90 to 74.

The bill had passed the Senate unanimously, only to be defeated in the House Judiciary Committee. It was brought to the floor of the House by motion after a minority committee report had been filed making that action possible.

While the committee fight on the anti-decree measure had been led by representatives of major film companies, on the floor of the House it was led by independent exhibitors headed by W. T. Murray, operator of the

(*Continued on page* 4)

215 Under Contract At 20th-Fox Studio

HOLLYWOOD, March 23.—The production and talent roster under contract to 20th Century-Fox totals 215, it was disclosed by the studio over the weekend.

This includes executives, department heads, producers, directors, players, technicians, cameramen and others. There are 14 producers and associate producers serving under Darryl F. Zanuck, vice-president in charge of production. In the past three weeks the list of full producers was increased by the signing of William LeBaron, Ernst Lubitsch and Mark Hellinger. Previously

(*Continued on page* 4)

P.R.C. Holds First Annual Convention

CHICAGO, March 23.—The first annual convention of Producers Releasing Corp. franchise holders will end tomorrow at the Congress Hotel. The sessions started here yesterday. O. Henry Briggs, president, told the franchise holders that the company plans 42 films next season, of which 18 will be Westerns. Briggs stressed action as the keynote of the planned P.R.C. product.

The meeting was addressed by Leon Fromkess, vice-president in charge of

(*Continued on page* 5)

First Complaint in Oklahoma City; New Case in N. O.

The first arbitration complaint filed with the Oklahoma City board and the third for New Orleans were entered on Friday in those cities.

Arbitrators were selected and hearings set for April 1 for the first cases filed with the Milwaukee and New Orleans boards.

The New Orleans complaint was filed by Charles J. Woolner, operator of the Drive-In Theatre in that city, against Warners and asks for "some run." Woolner is complainant under identical circumstances in the other two cases on file in New Orleans, the first naming Paramount and the second, Loew's.

The first Oklahoma City complaint was made by J. D. Guest, operator of the Ritz, Duncan, Okla., on "some run," and named Warners.

Phillip E. James was named arbitrator of Woolner's first complaint, that against Paramount, and hearing was set for April 1.

Marquette Professor Milwaukee Arbitrator

MILWAUKEE, March 23. — Thomas P. Whelan, Marquette University professor, has been named arbitrator in the first Milwaukee case, that of the Evansville Theatre Co. against Paramount and the Jeffris Theatre Co.

Ontario Grosses Hurt by Blizzard

Toronto, March 23.—A comparatively large area of Western Ontario spent several days last week battling a sudden blizzard which blocked all roads and tied up public services. Theatres in Shelburne, Orangeville, Owen Sound, Goderich and other towns had to forego program changes because of the non-delivery of films and business activities were greatly reduced while attention was turned to digging-out.

Army Accepts First Two Training Films

WASHINGTON, March 23.—Acceptance of the first two training films produced by the Research Council of the Academy of Motion Picture Arts and Sciences was announced Friday by the War Department.

The pictures are on the general subject of personal hygiene, and are to be shown to all officers and enlisted men with a view to promoting the health of the Army. They were produced at 20th Century-Fox studios by the Council under the direction of Darryl Zanuck, chairman, who holds the

(*Continued on page* 4)

Ascap Seeks New Trial To Test Washington Law

TACOMA, March 23.—A motion for a new trial to test the constitutionality of Washington's anti-Ascap law was filed in Federal court here yesterday by the music society. No date has been set for a hearing.

A three-judge Federal statutory court last year upheld the law by dismissing Ascap's action to declare it unconstitutional. The court's action was based largely on its contention that Ascap did not come into court "with clean hands," since the society at that time was under investigation by the Department of Justice.

The Ascap motion for a new trial sets forth, in effect, that its hands have been cleansed since by its having accepted a Federal consent decree. In addition to its motion for a new trial the society has until April 19 to take an appeal to the U. S. Supreme Court from the statutory court's dismissal of its case. Schwartz & Frohlich, New York counsel for Ascap, filed the motion for a new trial.

Mutual to Negotiate Own Ascap License

Mutual stockholders voted Friday to have the network negotiate separately for an Ascap license. The committee includes Alfred J. McCosker, chairman, E. M. Antrim, Lewis Allen Weiss, H. K. Carpenter and Fred Weber.

A meeting with Ascap is planned for the near future. Mutual is in a peculiar position in this respect, it was pointed out, because it does not originate programs itself but transmits them from member stations. The question of clearance of music at the source is therefore a particular problem for the network.

The Ascap board held morning and afternoon sessions Friday to prepare specific proposals for the broadcasters but no definite terms were disclosed. The board will continue its meetings today.

RCA Wants Television to Be Postponed

Reversal Confuses FCC Hearing in Capital

By BERTRAM F. LINZ

WASHINGTON, March 23.—Television hearings before the FCC were thrown into confusion Friday with a sudden reversal of the RCA stand when Dr. C. B. Jolliffe of RCA told the commission that commercialization should be postponed.

Jolliffe said that commercialization should be delayed until manufacturers of transmitting and receiving equipment were shown to be prepared to go ahead on a broad scale. He failed to explain why RCA had changed its position.

RCA's totally unanticipated reversal of its stand of a year ago, when it went "all out" for television on the basis of a later-rescinded order contemplating commercial operation in September, 1940, caught television executives and the commission off guard and, after the commissioners had recessed to consider this new development, an almost immediate adjourn-

(*Continued on page* 4)

Mono. Convention On Coast Next Week

Monogram's annual sales convention will be held at the Roosevelt Hotel in Hollywood, April 4 to 6, W. Ray Johnston, president, announced here over the weekend. About 125 are expected to attend, including franchise owners, branch managers, production heads and home office representatives.

The most important topic for the franchise holders will be plans to meet the new selling situation brought about by the Federal consent decree, it was announced.

Johnson will preside, and among the speakers will be Trem Carr, in charge

(*Continued on page* 5)

In Today's Issue

Reviews of "That Hamilton Woman," from Hollywood, and "The Sea Wolf" will be found on Page 4. "Dead Men Tell" is reviewed on Page 5. . . . NBC-Blue and Mutual tiff on rights to boxing bouts, on Page 6.

WB Zone Drive to Honor Bernhard

Joseph Bernhard, general manager of Warner Theatres, will attend an Albany zone meeting tomorrow to launch the 13-week drive initiated by Moe Silver, zone manager, honoring Bernhard on his 10th anniversary with the company. The drive will be known as the Joe Bernhard Tenth Anniversary Drive. Bernhard will be accompanied by Harry Goldberg, Warner Theatres advertising manager.

Daylight Bill Again Is Up in Wisconsin

MADISON, WIS., March 23.—For the fourth time since the 1941 legislature started its session in January, daylight saving again has been revived, this time in the form of a bill which would limit optional daylight saving to Milwaukee and other cities. The move is being strongly opposed by exhibitors.

Another measure introduced, and expected to meet exhibitor opposition is the Bichler bill to legalize pari-mutuel horse racing in Wisconsin. Similar measures in past sessions have been defeated. Coin film machines and automatic phonographs would be subject to a $10 annual license fee under the provisions of the Fowell bill. Another measure by Assemblyman Orville Fehlaber would assess such machines an annual fee of $25.

'Great Lie' Premiere For Littleton, N. H.

"World premiere" of Warners' "The Great Lie," starring Bette Davis, will be held in Miss Davis' home town, Littleton, N. H., at the Premier Theatre, on the evening of April 5. Civic leaders in the town of 4,500 population are planning a birthday celebration for Miss Davis on the day of the opening, and Warners will be host to press representatives and others from New York. Gov. Robert O. Blood of New Hampshire is expected to be present. Proceeds of the opening will be devoted to Littleton charities.

Golden Compiles Survey

WASHINGTON, March 23.—Nathan D. Golden, chief of the motion picture division of the Department of Commerce, has compiled a survey of film equipment in colleges and high schools in the United States and its possessions. The book is published by the educational department of RCA Manufacturing Co., Camden, N. J.

New Pact for Leonard

HOLLYWOOD, March 23.—M-G-M has signed Robert Z. Leonard to a new long term contract as producer and director.

MILLIONS
ARE WAITING TO SEE
The LAST MILE

Personal Mention

GEORGE J. SCHAEFER, RKO president, is expected in New York from the Coast on Thursday.

•

Y. FRANK FREEMAN, Paramount studio head, will arrive from the Coast this morning.

•

N. L. NATHANSON returned to Toronto from New York over the week-end.

•

EDWIN H. COLLINS, assistant to WILLIAM J. KUPPER, Western division manager for 20th Century-Fox, has returned from a tour of Southern branches.

•

SI SEADLER, M-G-M advertising manager, returns today from the Coast.

•

STANLEY GIVEN, of Paramount's Philadelphia booking department, has entered the Army. His place has been taken by GEORGE KELLY.

•

RODNEY BUSH, publicity manager for 20th Century-Fox, is in Miami.

HERMAN WOBBER, general manager of distribution for 20th Century-Fox, is expected from the Coast tomorrow.

•

I. J. HOFFMAN, Warner Theatres head at New Haven, has left for Miami Beach.

•

JOSEPH M. PODOLOFF, Minneapolis branch manager for 20th Century-Fox, has returned from Florida.

•

CHARLES H. TEBAY, United Artists' manager in Trinidad, arrives here today on the *Brazil*.

•

ED ROSENBAUM, Columbia publicity man in Philadelphia, will address the Philadelphia Motion Picture Forum today at the Bellevue-Stratford Hotel.

•

SCOTT LESTER, 20th Century-Fox ad sales manager in Albany, has returned from a Nassau vacation.

•

NORRIS J. NELSON, assistant manager of the Stanley in Baltimore, has resigned to take a Government post.

Delay Submission Of Canada Budget

TORONTO, March 23.—The next Canadian Federal budget, one provision of which is expected to be a Dominion-wide tax on theatre receipts, has been postponed until some time in April although it had been scheduled for tabling in Parliament on March 27, according to reliable information.

This means a brief delay in the enactment of new wartime levies, the postponement being made to study the result of the war savings campaign in which the public was given the opportunity of voluntary loans to the Government. The theatres cooperated extensively in boosting the pledges for war savings certificates.

Col. English Deal Running 3 Years

The deal by which Columbia will release two English pictures annually produced by the new company formed by George Formby, leading English comedian, is for three years, it has been learned here.

Each of the six films is said to be planned to count for triple quota credit under the distributors' quota. Columbia will supply part of the financing in return for world distribution. The first film is expected to go into work within 60 days.

840 Charity Shows Set for Greek Fund

The total of midnight shows which have been arranged by theatre men around the country on behalf of the Greek War Relief Drive, under auspices of the amusement division headed by Adolph Zukor, now numbers 840. They will be held from March 25 to March 30.

Postpone Phila. Tourney

PHILADELPHIA, March 23.—The local Variety Club has changed the date for its annual golf tournament to Sept. 19 at Philmont Country Club. It was originally planned for June 18.

Blank Due in N. Y. En Route to Meeting

A. H. Blank, head of Tri-States Theatres, Des Moines, is due today in New York with Myron and Raymond Blank. They will leave with the Paramount theatres home office group to attend the Paramount theatre executives' meeting in Hot Springs, Va., starting Thursday for three days. Blank stopped off in Washington en route to New York to confer on the industry's defense plans, in which he is a representative of Paramount theatres. G. Ralph Branton, general manager of Tri-States, is motoring to Virginia for the meeting.

Malco Opening Three Theatres Saturday

LITTLE ROCK, March 23.—Malco Theatres, of which M. A. Lightman is president and general manager, on Saturday will open three theatres. These are the new Park in Park Hill, Little Rock suburb, seating 600 and constructed at an estimated cost of $79,000, and the drive-in theatres in Little Rock and Memphis, purchased from Levy and Associates. M. S. McCord, secretary and treasurer of the circuit, also disclosed that the Varsity in Columbia, Miss., will be remodeled.

Famous Players to Improve 2 Houses

TORONTO, March 23.—Famous Players Canadian Corp. will spend $110,000 on improvement of its Imperial Theatre at Sarnia, Ont., and the conversion of a clubhouse into a new 650-seat theatre. The company also operates the third theatre in Sarnia, the 1,116-seat Capitol.

Is Circuit Supervisor

OTTAWA, March 23.—Lloyd C. Mills, Manager of the Elgin Theatre here, has been promoted as a supervisor of Twentieth Century Theatres, Ltd., with offices in Toronto.

Third Skouras Drive Starts on April 13

National Theatres' third annual Spyros Skouras showmanship campaign will start April 13 and will continue to July 12. The circuit's 450 theatres competing in the drive will be divided in various classifications, according to their seating capacity and run. A similar campaign was held by the circuit late [illegible] winter.

Affirm Added Tax Against Goldwyn

WASHINGTON, March 23.—The Board of Tax Appeals on Friday affirmed a deficiency of $4,055 determined by the Commissioner of Internal Revenue against Samuel Goldwyn, Inc., Ltd., a personal holding company of the motion picture executive, and imposed a penalty of $1,014 against it for failure to file a return in time.

The additional tax resulted from the disallowance of a deduction of $16,600 claimed as used to retire indebtedness incurred prior to Jan. 1, 1934, by United Artists Studio, Inc., for which the Goldwyn company assumed liability as transferee, resulting from the plan of Twentieth Century Pictures and Goldwyn in 1933 to buy the stock of United Artists Studio Corp.

The Commissioner denied the deduction and the board upheld him on the ground that the indebtedness had not been incurred by the personal holding company but by Goldwyn and Twentieth Century.

Court Denies Motion To Set Aside Lease

The Trust Company of Georgia and Henry B. Troutman, creditors of the Fox Theatres Corp., on Friday asked Federal Judge John C. Knox to set aside the transfer of a lease on the Academy of Music in New York to Skouras Theatres Corp. on the grounds that the original bid made some years ago by Skouras Theatres was invalid. Judge Knox denied the motion on technical grounds with leave to renew.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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IN PERFECT AGREEMENT

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when little light is available

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for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

RCA Wants Television to Be Postponed

(Continued from page 1)

ment over the weekend was ordered. The hearings will continue tomorrow.

The RCA engineer's statement left Balaban & Katz "out on a limb" as the only company which had given whole-hearted support to immediate commercialization, without any strings as to hours of service or type of program. William C. Eddy, B. & K. television director, had previously testified his company was ready to go ahead commercially in Chicago under such direction and hour-of-service requirement as the commission would promulgate.

Dr. Jolliffe's opposition to early commercialization came after he testified that standards should be adopted as soon as practicable so that designers should have something to go by.

However, he said, standards must come before commercialization, and the commission should dispose of them and then survey the various branches of the industry to determine whether the time was ripe for commercial operation. His stand was considered significant in view of the fact that RCA is both a manufacturer and a broadcaster.

The commission, which has only four more witnesses to hear, will probably devote itself to a consideration of this new element beginning tomorrow, the discussion of the standards having been practically cleaned up.

Eddy's testimony indicated that Balaban & Katz have long been laying plans for regular operation, but he told the commission B. & K. are interested in television "only as a broadcaster" and not as theatre operators, although he pointed out their long years of theatre experience were being drawn up on in the new venture.

Witnesses who followed Eddy—Harry R. Lubcke for the Don Lee Broadcasting System and Albert F. Murray of Hughes Productions, both on the Coast—urged prompt commercialization but with much less than 30 hours a week service.

First RCA witness was Alfred H. Morton, NBC vice-president in charge of television, who said that the cost of equipping a very moderate sized television station to handle a balanced program of studio productions, current events pick-ups and motion pictures would be in the neighborhood of $225,000, and that the cost of programs, based on RCA experience, would be approximately $1,000 an hour.

Morton revealed that NBC pays $150 for a 20-minute March of Time subject, and that the only feature films available were old and of poor quality, it being impossible to get current Hollywood films. This elicited from Chairman James L. Fly, mindful of previous testimony of Adrian Murphy of CBS, regarding the impossibility of getting pictures, the comment that, "I think there's a lot about the movie business you people are not telling."

Feature Reviews

"That Hamilton Woman"

(United Artists-Korda)

Hollywood, March 23

THERE are about as many approaches to the exploitation of this picture as there are varieties of audiences to which to make bids for attendance.

One way to sell it is as a splendid motion picture presenting Vivien Leigh and Laurence Olivier in fine performances, supported by many other excellent players who perform equally well.

Another way to sell it is as a deep and moving presentation of the story of Lord Nelson and Lady Hamilton, in which heroism and bravery stand out above the infidelities which history records as qualifications of their romance.

Still another way to sell it is as a powerful portrayal of a period in history when England and her Navy thwarted the attempt of an individual intent upon world subjugation, Napoleon Bonaparte, when odds were considered to be against them.

It is, no matter how it is exploited, a magnificent job of production by Alexander Korda, who also directed. It is an adult telling of an adult story for adult audiences and it contains many a deftness of narration, opening and closing on a low note with many a high one played between. The Battle of Trafalgar is a sequence seldom if ever matched in kind.

The supporting cast includes: Alan Mowbray, Sara Allgood, Gladys Cooper, Henry Wilcoxon, Heather Angel, Halliwell Hobbes, Gilbert Emery, Miles Mander, Ronald Sinclair, Luis Albertini, Norma Drury, Olaf Hytten, Juliette Compton and Guy Kingsford. Quality performances are given without exception.

Although a period picture, and played in the costumes of 1800, there is sufficient parallel between the circumstances of then and now to offset whatever objections may prevail, on the part of some audiences, to this circumstance. It refers to Napoleon as "dictator" and contains dialogue lines which are, of course, pertinent to the present world situation. If this be propaganda, then it is to that extent a propaganda picture.

Running time, 125 minutes. "A."* ROSCOE WILLIAMS

"A" denotes adult classification.

"The Sea Wolf"

(Warners)

JACK LONDON'S famous sea yarn of the brutal egomaniac whose diseased mind makes him a ruthless master of those upon his ship, and the fight of some among them to escape his vicious hand, once again comes to the screen, with Edward G. Robinson in the role of Wolf Larsen, the "sea wolf."

The picture's treatment and background differs from the handling in earlier film, but it remains a compelling, sharply etched drama, in which interest never lags and which carries an emotional impact which should turn it into box-office dollars.

The name of Robinson is strong marquee material in itself, and exploitation stressing the origin of the film and a promise by the exhibitor of dramatic entertainment with a punch, should ring the bell on the cash register with happy consistency.

In most able support of Robinson's splendid performance are John Garfield, as the escaping prisoner who ships on Larsen's "hellship" and leads the fight against him, and Ida Lupino, in another excellent performance as the girl escaped from a reformatory, whose lot is cast with those on the ship when the ferry boat on which she was a passenger is wrecked in San Francisco Bay. And there is a newcomer, Alexander Knox, a writer, picked up from the same ferry wreck, weak in body but with the strength of mind to match Larsen's brain—if not his brawn. Knox's performance is of the finest, and it stamps him as player to be watched. Gene Lockhart is good as the drink-sodden doctor, who prefers death to Larsen's brutality, and Barry Fitzgerald is equally effective as the treacherous ship's cook.

The film was directed with a sure touch by Michael Curtiz, with Hal B. Wallis as executive producer and Henry Blanke as associate producer. Photography is excellent, and does much to enhance the film's effectiveness. Enacted almost in its entirety aboard ship, the film is laden with highlight dramatic incident, which keeps the pace at high level.

Running time, 100 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

Army Accepts First Two Training Films

(Continued from page 1)

rank of lieutenant colonel in the Signal Corps reserve.

One picture was directed by John Ford and the other by Irving Pichel. Photography was by George Barnes and Virgil Miller, respectively.

A third film is now in production and a number of others are tent[illegible]ely scheduled for production befo[illegible]xt June 30.

Announcing acceptance of the pictures, the Department commended the industry for its cooperation, explaining that the Research Council had offered to produce films on a non-profit basis in excess of the capacity of the Signal Corps to make them, and that the offer had been accepted in order to secure certain pictures needed for immediate use.

215 Under Contract At 20th-Fox Studio

(Continued from page 1)

Sol Wurtzel was the sole full-fledged producer on the lot.

The list of players under contract totals 74, including 45 actors and 29 actresses. There are also 13 stock players.

The studio announced over the weekend that it had received cabled approval from Lord Beaverbrook, British minister of aircraft production, of the script of "A Yank in the R. A. F." This assures the studio official British footage of the air force in action. The picture will star Tyrone Power.

Robert Donat has been signed by 20th Century-Fox in England for "Pitt, the Younger," one of the two films planned for production at Shepherd's Bush studio. The other will be "Spitfire," for which Government cooperation has been obtained, it is reported.

To Film Background For 'Yank' in Canada

OTTAWA, March 23.—Henry Fonda will come to Canada to make background scenes for "A Yank in the R. A. F.," it was learned over the weekend. It is understood the scenes will be filmed at the Royal Canadian Air Force training center at Edmonton.

Booking Bill Loses Georgia House Vote

(Continued from page 1)

Rialto, Atlanta. Parent-Teachers' organizations and women's clubs joined the exhibitors in opposition to it.

The opponents charged that circuit theatres were interested in perpetuating a film buying system which made it possible for them to gain a monopoly of product, and that small theatres could get good pictures only by joining with the circuits. However, the Lucas & Jenkins circuit, a Paramount affiliate, was one of the principal sponsors of the anti-decree measure.

'Fantasia' in Minneapolis

MINNEAPOLIS, March 23.—"Fantasia" has been booked to play at the Minnesota Theatre, 4,000-seat house, starting April 12. The work of installing special sound equipment has begun.

Welles' Play Set To Open Tonight

Orson Welles' newest venture on Broadway, "Native Son," a dramatization of the Richard Wright novel, is scheduled to open tonight, after having been once postponed, at the St. James with the producer in the leading role. The supporting cast includes Ray Collins, Canada Lee, Everett Sloane, Erskine Sanford and Paul Stewart. The adaptation is by Wright and Paul Green.

P.R.C. Holds First Annual Convention

(*Continued from page* 1)

domestic and foreign operations; William Gell, head of Pathe Pictures, Ltd., distributors in England of P.R.C. product; George Batcheller, in charge of feature production; Sigmund Neufeld, supervisor of Westerns, and Joseph O'Sullivan, director of publicity and advertising.

Franchise Owners Present

Franchise holders in attendance include: Isaac Katz, Atlanta; Harry Asher, Boston; Edward E. Heller, Charlotte; Abe Fischer, Chicago; Nat B. Kaplan, Cincinnati; Lee L. Goldberg, Cleveland; Jack Adams, Dallas; Bernard Newman, Denver; William Flemion, Detroit; Sam H. Abrams, Indianapolis; John Muchmore, Kansas City; S. A. Arnold, Little Rock, Ark.; Louis Rutstein, Los Angeles; Charles Weiner, Minneapolis; F. F. Goodrow, New Orleans; Bert Kulick, New York; Sid Kulick, Buffalo; E. B. Walker, Oklahoma City; Herbert Given, Philadelphia; M. and L. Lefton, Pittsburgh; A. R. Dietz, St. Louis; Dave Nathanson, San Francisco; Ollie Wog, Seattle; George Gill, Washington; Joseph Bonn, Indianapolis; Donald Duff, Cincinnati; Bernard Rubin, Cleveland. Milton Saulzburg of Academic Films also is at the meeting.

Omaha Gives $9,100 To 'Tobacco Road'

OMAHA, March 23.—"Tobacco Road" pulled $9,100 at the Orpheum. The second feature, "Buck Privates," was held over from a previous week.

The weather was clear and very warm.

Estimated takings for the week ending March 18-19:

"High Sierra" (W. B.)
"Tugboat Annie Sails Again" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,300. (Average, $4,000)

"Footsteps in the Dark" (W. B.)
"Golden Hoofs" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,200. (Average, $6,000)

"Tobacco Road" (20th-Fox)
"Buck Privates" (Univ.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $9,100. (Average, $7,200)

Resumes Split Weeks

RICHMOND, March 23.—After a four-week run of full week vaudeville bills, the National will return to its former split week policy on March 27. Theatre will play vaudeville and a first run film Thursday through Sunday, followed by a second run picture the other three days of the week.

Feature Review

"Dead Men Tell"

(*20th Century-Fox*)

Hollywood, March 23

IN point of complexity, intensity of interest and skill in presentation, this item in the Charlie Chan collection of murder-mysteries rates well above par for the series. There is never a letdown, never a lapse, and never a tip-off to dissipate the suspense, from opening shot to closing scene.

Setting of this number is a ship at dock being prepared for a voyage in search of pirate gold. The time is now and the party assembled for the voyage includes a mixture of personalities, a psychoanalyst, a neurotic, a movie star, his bride, a woman of wealth whose sponsorship of the voyage is terminated by her murderer, a criminal posing as a reporter, a sea captain with vengeance in his heart, assorted seamen and, of course, Charlie Chan and his Number Two Son, Sidney Toler as Chan and Sen Yung as the boy. Two killings occur. Everybody, except possibly Chan and son, are suspected.

Others in the cast are Shelia Ryan, Robert Weldon, Don Douglas, Katharine Aldridge, Paul McGrath, George Reeves, Truman Bradley, Ethel Griffies, Lenita Lane and Milton Parsons.

Walter Morosco and Ralph Dietrich are down as associate producers. Harry Lachman directed.

Running time, 61 minutes. "G." *

ROSCOE WILLIAMS

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* *"G" denotes general classification.*

Mono. Convention On Coast Next Week

(*Continued from page* 1)

of production; Steve Broidy, sales manager; Scott Dunlap, I. E. Chadwick, Sam Katzman and George Weeks, producers.

Friday, the first day of the meeting, will be devoted to franchise holders' sessions, with a general sales meeting on Saturday followed by a banquet in the evening at the Florentine Gardens. On Sunday there will be a barbecue and rodeo at the Monogram western ranch at Newhall.

Broidy arrived in Hollywood late last week to make arrangements for the convention. It is planned to have two special cars of Monogram representatives leave Chicago next Monday on the Santa Fe Chief, arriving on the Coast on Wednesday. Henri Elman, Chicago franchise holder, is handling the transportation.

Johnston plans to leave for the Coast tomorrow, stopping off en route in Chicago and Kansas City.

Leaving K.C. Club Post

KANSAS CITY, March 23.—At the next meeting of the Cinema Club of Kansas City, Wednesday, Joseph Lysowski, president, will hand in his resignation, and a new president will be elected. Lysowski, now at Altec Service Corp., is resigning from that company to go to Dallas.

Ratoff Arriving Today

Gregory Ratoff, who directed "Adam Had Four Sons," which opens at Radio City Music Hall on Thursday, arrives today from the Coast. Susan Hayward of the cast of the film, will also arrive.

Bausch & Lomb Dividend

ROCHESTER, March 23.—A dividend of 25 cents a share on the common stock and $1.25 on the preferred was declared Friday by Bausch & Lomb Optical Co.

Astor in Cartoon Deal

Astor Pictures will reissue through its national franchise holders six Comi-Color one-reel cartoons, produced by P. A. Powers. The first, "The Brave Tin Soldier," will be released April 15. The other subjects, "Puss In Boots," "Queen of Hearts," "Aladdin," "Jack and the Beanstalk" and "The Little Red Hen," will be released one every six weeks thereafter.

Rockefeller Fund's Film Gifts $130,160

Three appropriations totaling $130,160 were made by the Rockefeller Foundation in the motion picture field during 1940, it is disclosed in the annual report of the Foundation, issued Saturday.

An appropriation of $60,000 over a three-year period was given to the Museum of Modern Art for the support of its Film Library, which has a collection of 1,661 films dating back to the earliest beginnings of the industry. The sum of $50,000 was given to the American Film Center, payable over two years. The latter organization is concerned with the production and distribution of films of educational and cultural value.

The Foundation also appropriated $20,160 to the New School for Social Research for experimental demonstrations of the use of music in film production under the direction of Hans Eisler, Austrian composer.

$77,220 for Radio

The Foundation made three grants for work in various aspects of radio broadcasting. The Library of Congress received $23,320 to enable it to broadcast programs based on its cultural and historical material. The Rocky Mountain Radio Council received $18,500 to explore practical aspects of radio service to a sparsely populated area having strong regional interests. Columbia University received $35,400 for a study of the effect of radio on listeners.

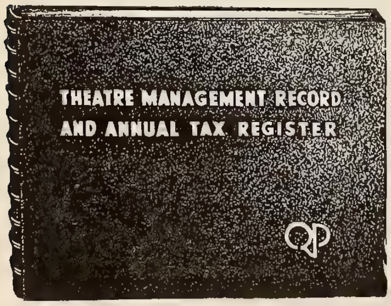
LADY FROM NEW ORLEANS
A REPUBLIC PICTURE
ONA MUNSON to HENRY STEPHENSON: "He's going to restore law and order to this benighted city by smashing you and your devil's lottery to smithereens."
JOHN WAYNE • ONA MUNSON
RAY MIDDLETON • HENRY STEPHENSON
HELEN WESTLEY • Bernard Vorhaus—Director

Two New NBC Transmitters On Short Wave

NBC will put in service today two new short wave transmitters each with 50,000 watts power. The transmitters will operate on 9,670, 17,780 and 11,890 k.c. Three other frequencies, 6,100, 21,630 and 15,150 k.c., have also been assigned to NBC.

John F. Royal, vice-president in charge of international relations, pointed out that today also marks the 10th anniversary of the broadcasting by NBC which Latin American stations have picked up and rebroadcast as a network. He said that 130 South American stations have rebroadcast programs NBC originated in the United States. Of these, 78 are standard band broadcasters, he said.

This entire week will be devoted to the anniversary celebration. Exchange broadcasts will be heard simultaneously on both continents. Tomorrow from 6-6:20 P.M. a program from Cuba will be broadcast here by NBC-Red while another program will be beamed toward Cuba. On Sunday at 12:30 P.M. a similar exchange will be effected between the Red and South American nations. Prominent Latin American residents here and officials of those countries will be heard during the week.



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THEATER MANAGEMENT RECORD AND ANNUAL TAX REGISTER

■ Individual sections for all operating data. Full tax information readily available.

$2.00 Postpaid

QUIGLEY BOOKSHOP
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Off the Antenna

NILES TRAMMELL, NBC president, announced over the weekend that transcription companies would be permitted to pick up NBC programs and rehearsals direct from the network studios by payment of small fees and telephone charges, beginning April 1. At present, companies which make recordings to be shipped to individual stations are required to have the performers enact their programs at their transcription studios. Sponsors thus are forced to pay extra talent costs. Charges for permission to transcribe from NBC studios will be $2.50 for 15 minutes; $3.50, 30 minutes; $4.50, 45 minutes and $5.50 for a full hour. Fees for rehearsal pickups are $1 extra per period. For a flat fee of $50 per origination point a transcription company may pick up an unlimited number of programs.

• • •

Purely Personal: *Tom Slater, WOR announcer, has been named coordinator of sports and special events for Mutual. . . . Brent Guntz, WFBR, Baltimore, chief announcer, has entered the Army. . . . Susanne Foster, Paramount player, has been chosen as soloist at the Los Angeles Easter Sunrise Service. The program will be carried by CBS and short-waved around the world. . . . Helen Mack has been selected for the role of "Marge" in the CBS script show, "Myrt & Marge". . . . Gilbert Seldes, CBS director of television programs, will be guest on "America in Transition" over that network tomorrow. . . . Robert Heiss has been named program supervisor at WTMJ, Milwaukee.*

• • •

Directors of the Radio Manufacturers Association will meet here April 16 to consider problems relating to the national defense program, including the supply of aluminum and the future federal tax program involving corporation and excise taxes.

• • •

Dr. A. C. Gonzalez, former U. S. minister to Panama, Ecuador and Venezuela, has been named assistant director of Latin American relations for the CBS short wave division. He will assist Edmund Chester, CBS director of short wave and international relations.

• • •

FCC Chairman James L. Fly *will speak over the combined NBC networks Friday at 7:15 P.M. to explain the frequency shifts. Fly will be introduced by Niles Trammell, NBC president.*

Theatre Changes

Two Theatres for Dayton

DAYTON, O., March 23. — Paul Banker, veteran local exhibitor, is building a new 1,000-seat theatre, to be known as the North, which will be a part of the North Amusement Center in suburban North Dayton. A 950-seat house also is being built in North Dayton by the Keowee Development Co., at a reported cost of $100,000. It has been leased by Virgil Jackson and John Murphy, who operate the Central States Circuit.

Open in Missouri April 13

WAYNESVILLE, Mo., March 23.—The Fort Wood Theatre here, a unit of the Commonwealth Amusement Corp., will open on April 13.

Remodel Portland House

PORTLAND, Ore., March 23.—The Mayfair Theatre here is undergoing remodeling.

Installs Theatre Floor

PLAINVILLE, Conn., March 23.—George LeWitt, who recently bought the theatre building in which he has operated the 700-seat Strand under lease, has installed a new floor in the theatre. He is also planning air-conditioning and other lobby and interior remodeling.

Named Ottawa Assistant

OTTAWA, March 23.—Stewart Gillespie of Ottawa has been appointed assistant manager of the Elgin Theatre. Lloyd Mills is manager.

Sells Canadian House

TORONTO, March 23.—Ambrose P. Nolan, son of Patrick J. Nolan, widely known independent exhibitor who died a few weeks ago, has sold his Pix Theatre, Aylmer, to Leo Choquette of Montreal and Paul Leroux has become manager of the house. Nolan shortly will assume management of one of his late father's theatres in Ottawa.

Named Assistant Manager

COLUMBUS, O., March 23.—M. J. Cullen, Loew's western division manager, has appointed Charles E. Kennedy as assistant manager of Loew's Ohio here, to succeed John Hardgrove, who has resigned and is moving to San Diego, Calif. Kennedy has been student assistant manager at this house for more than three years.

Building New Front

PHILADELPHIA, March 23.—The Arcadia Theatre management has begun work on a modern, streamlined front for the house, and the first theatre marquee ever to be erected on Chestnut street has fallen under the wreckers' hammers.

Remodeling Iowa House

ONAWA, Ia., March 23.—Roy Lepovitz has closed the Onawa Theatre for remodeling and redecorating.

Texas House Improved

CENTER POINT, Tex., March 23.—Mrs. C. P. Smith is renovating the Shelby here, installing new seats and equipment.

NBC-Blue and Mutual Tiff on Fight Rights

A legal battle appeared in prospect over the weekend between NBC-Blue and Mutual over radio rights to the boxing bouts stag[illegible] Mike Jacobs and his 20th Century Sporting Club at Madison Square Garden and other arenas.

Mutual announced on Friday that effective June 1 it had obtained the exclusive rights which have been held by NBC since June, 1937. Gillette Safety Razor Co. will sponsor the Mutual series, it was said.

Edgar Kobak, vice-president in charge of sales for the Blue, asserted that legal steps would be taken to enforce NBC's rights for the 1941-1942 season. He declared that Jacobs had given his word that NBC would have its contract renewed.

In February, Kobak said, Jacobs had agreed to an extension of the contract and a check which represented "a substantial advance" was delivered to the promoter.

Mutual did not reveal what price had been paid for the rights and NBC also refused to disclose the amount paid either for past seasons or as the "advance." Jacobs was absent from the city.

Mutual officials stated that Gillette was considering the number of stations to be used and that it was likely to be in the neighborhood of 100. The contract is a "package deal," it was said, giving the sponsor the rights at a flat price, regardless of the length of the fight.

Kobak, while claiming that the Blue would have the fights next season, added that his network would have another program for Adams Hats, which sponsored the fights exclusively since Nov. 26, 1937, in the event the fights went to Mutual.

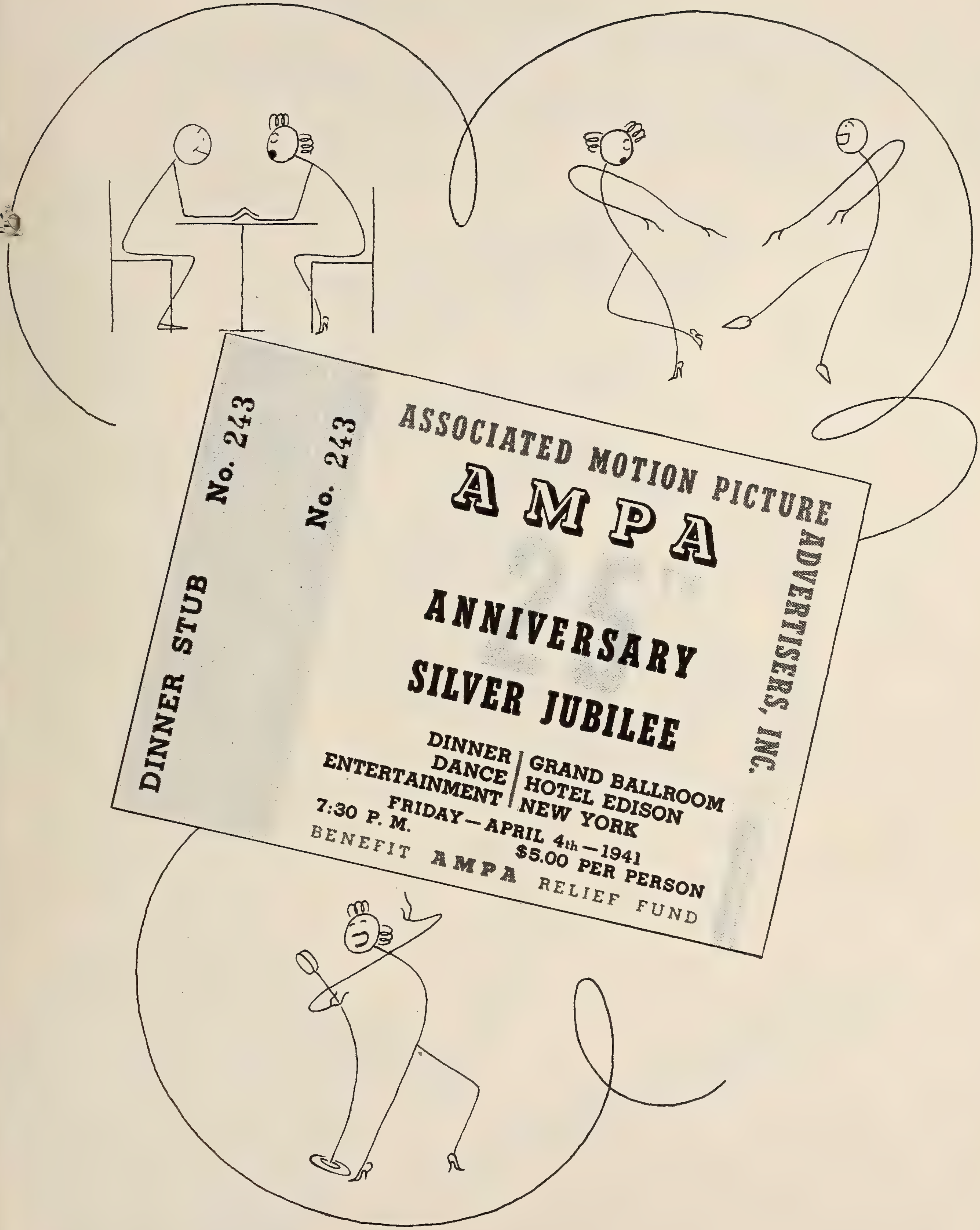
68 Canada Stations Change Frequency

TORONTO, March 23.—Changes in frequency March 29 under the Havana Treaty will be made by 68 of Canada's 84 commercial stations. Power increases in connection with the changeover have been granted to:

CFPL, London Ont., operated by the London *Free Press,* from 100 watts to 1,000; CBY, Toronto, and CHML, Hamilton, Ont., from 100 to 1,000; CHAB, Moose Jaw, Sask., 250 to 1,000; CKBI, Prince Albert, Sask., 250 to 1,000; CFGP, Grand Prairie, 100 to 250; CFRN, Edmonton, 100 to 1,000. No power increase was authorized for British Columbia on the Pacific Coast or the Maritime Provinces in the East.

Kay Kyser to 'Plug' Portland Festival

PORTLAND, Ore., March 23.—Kay Kyser and his orchestra have been made Knights of the Rose here, which commissions them to spread the news of Portland's 1941 Rose Festival. Kyser and his troupe, who are on tour, played to 5,000 people at the public auditorium here Friday.



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No. 243

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BENEFIT **AMPA** RELIEF FUND

GOOD FUN FOR A GOOD CAUSE!

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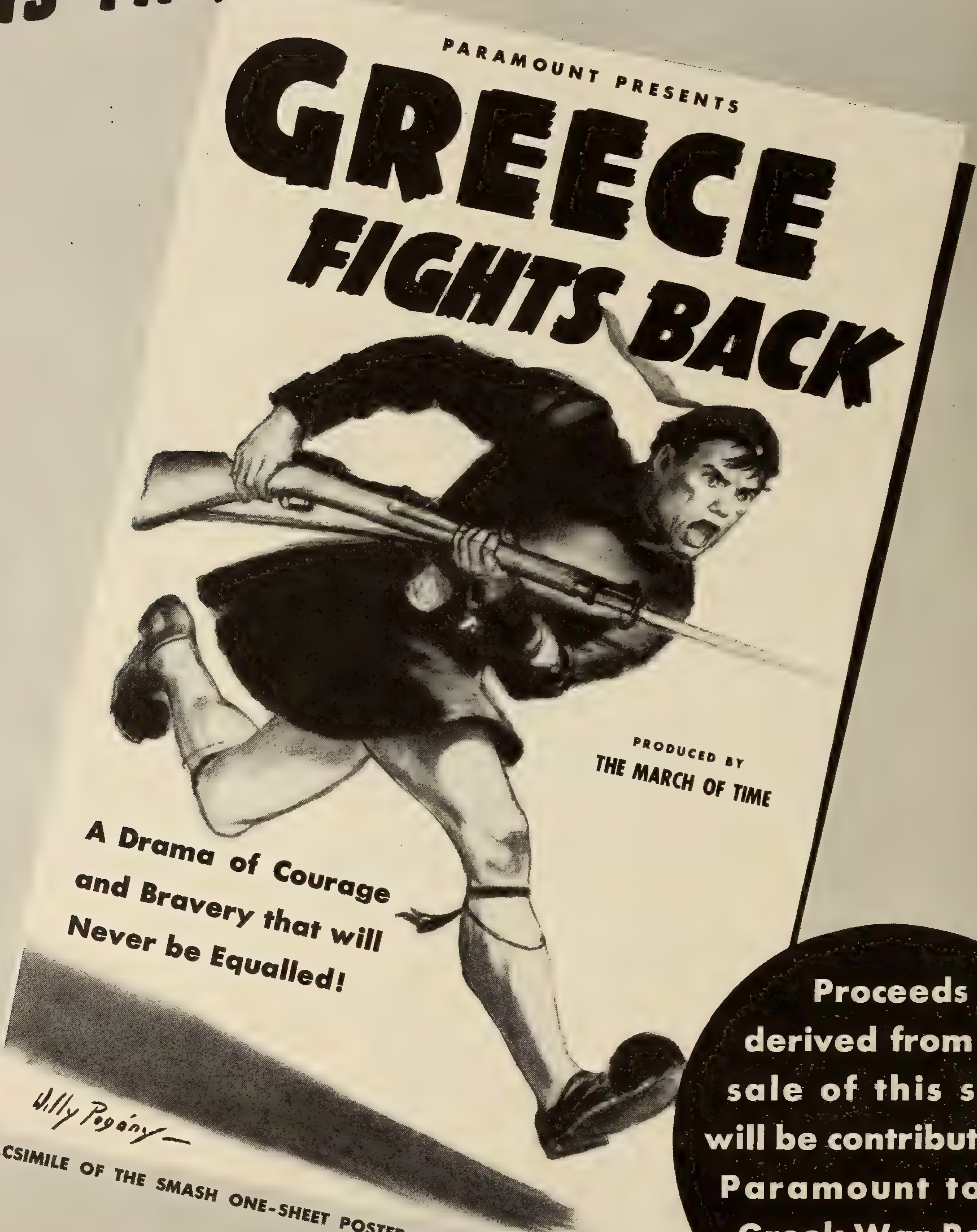

PARAMOUNT PRESENTS

GREECE FIGHTS BACK

PRODUCED BY
THE MARCH OF TIME

A Drama of Courage and Bravery that will Never be Equalled!

Willy Pogány

FACSIMILE OF THE SMASH ONE-SHEET POSTER IN THREE COLORS

Proceeds derived from the sale of this short will be contributed by Paramount to the Greek War Relief Association

PRINTS AVAILABLE NOW AT

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First in Film and Radio News Brief, Accurate and Impartial

V [illegible] 49. NO. 58 — NEW YORK, U. S. A., TUESDAY, MARCH 25, 1941 — TEN CENTS

$285,000 for 'Dictator' in 23-Week Run

Replaced at Astor by 'Wings' Tomorrow

Charlie Chaplin's "The Great Dictator" grossed approximately $285,000 in its 23-week run at the Astor Theatre on Broadway. The picture closed Sunday night and will make way tomorrow night for Paramount's "I Wanted Wings," which will have a gala premiere with notables from Washington, the U. S. Army and the trade in attendance.

Like most of the films which have preceded the Paramount film into the Astor, it will play on a two-a-day basis at $2 top.

"The Great Dictator" enjoyed an unusual run, grossing in the neighborhood of $12,400 weekly on the average.

Extremely mild Spring weather

(*Continued on page* 6)

Para. Officials to Virginia Tomorrow

Paramount home office officials will leave for Hot Springs, Va., tomorrow to attend the meeting of the company's theatre operating associates which opens on Thursday.

Among those leaving from here will be: Barney Balaban, Stanton Griffis, Y. Frank Freeman, Leonard Goldenson, Sam Dembow and Leon Netter. Paramount theatre associates from all over the country will attend the meeting, which will continue through Saturday. The meeting is designed to provide the theatre associates an opportunity to discuss current and future operations and problems and to exchange ideas.

Trade Papers' Cost Deductible Expense

Subscriptions to trade papers are deductible expenses, Lawrence W. Gibney, U. S. Treasury Department agent, testified yesterday at the trial of Joseph M. Schenck. Gibney testified that Schenck received $385,905 in dividends for the year 1936 and $469,064 in 1937. The Government expects to close its case today or tomorrow.

Levey Considering Offer of U.A. Post

Hollywood, March 24.—Jules Levey, head of Mayfair Productions, releasing through Universal, disclosed today that he had been offered a top sales post at United Artists. He said he will decide on the offer when he returns to New York in a week or 10 days. Preliminary discussions began on his recent visit in New York, Levey said. Prior to starting his production company Levey was general sales manager for RKO.

Greek Relief Drive Under Way Today

The amusement industry's contribution to the Greek War Relief Fund will get under way officially today, with a nationwide drive in which 10,397 theatres will participate. The drive will run through next Sunday. The goal of the Amusement Industry Division, of which Adolph Zukor is general chairman, is $500,000.

Highlight of the campaign will be the midnight benefit show at the Radio City Music Hall on Friday, which appears to be a complete sellout. Tickets were scaled from $1 to $10, and it is reported few are still available. Stars of screen, stage and radio have vol-

(*Continued on page* 6)

QUICK F.C.C. ORDER ON TELEVISION SEEN

Fly Indicates Authorization for Commercial Start in Fall as Hearings Come to Close; RCA Will Go Along With Other Firms

By BERTRAM F. LINZ

WASHINGTON, March 24.—Prompt issuance of orders inaugurating commercial television next Fall was foreseen today as the FCC completed its hearings after eliciting from Dr. C. B. Jolliffe, RCA chief engineer, an admission that RCA would go along with other companies.

At the close of the hearing, James L. Fly, FCC chairman, suggested the possibility of commercialization in the near future, pointing out that some time would elapse between issuance of the order permitting commercialization and the date when it would take effect.

During this interim period there should be cooperation between the industry and the commission in working out problems of production, Fly suggested.

Under fire from both members of the FCC and counsel for other television companies, Jolliffe retreated from his position of last Friday when he stated that commercialization should be deferred until the commission was sure all branches of the industry were prepared to meet public demand for programs and receivers.

As seen by the RCA official, the future of television depends considerably

(*Continued on page* 8)

Studio Labor Status Up at U. S. Hearing

HOLLYWOOD, March 24.—Important changes in studio labor bargaining contracts appeared possible tonight on the eve of hearings opening tomorrow on reclassification of workers before Merle Vincent, chief examiner of the Federal wages and hours division. The hearings, to be held in the Los Angeles Federal Building, are expected to continue at least a week.

The unions are fighting to hold the

(*Continued on page* 6)

25-Cent Student Matinees To Build Stage Patronage

A plan to build audiences for the legitimate theatre by arranging special matinees for high school students at 25 cents a ticket has been proposed by Alfred Harding, editor of *Equity*, official organ of Actors Equity, and has met with enthusiastic response from the unions, school authorities and producers involved.

Yesterday, Harding presented his plan to the League of New York Theatres, which immediately adopted a resolution favoring it and sent the plan to the member producers for individual approval.

The method of operation calls for a central control board composed of representatives from the various unions, the producers and the New York City school system. If the school authorities request a performance of a particular play, the board

(*Continued on page* 6)

Herman A. DeVry Dies at Age of 65

CHICAGO, March 24.—Herman A. De Vry, founder and president of the De Vry Corp., manufacturers of film sound equipment, died suddenly yesterday of a heart attack at the age of 65. He was stricken while bowling. He was a pioneer in the use of films for educational purposes.

De Vry came to this country from Germany when a boy and began his career by building equipment for Howard Thurston and other magicians. Then he became a camera man. In 1913 he began manufacturing the portable projector he had invented himself. The De Vry Corporation, which he founded in 1914, was purchased by Q.R.S. Player Piano Roll Co., in 1929.

He formed Herman A. De Vry,

(*Continued on page* 6)

Grainger and Baker Hosts in Chicago

CHICAGO, March 24.—James R. Grainger, Republic president, and William Baker, former United Artists salesman who today became manager of Republic's Chicago exchange, today were hosts to exhibitors at a luncheon in temporary quarters of the company in the Warner Building.

Baker succeeds Harry Lorch, who resigned to manage two theatres.

Abe Fisher, who has sold his Producers Releasing Corp. Chicago franchise to Charles Miller, will succeed Baker as salesman at United Artists, starting next Monday. Miller is a veteran salesman here.

Four Reviews Today

Reviews of "The Man Who Lost Himself," from Hollywood, and "Beyond the Sacramento," on Page 3. "Footlight Fever" and "The New Adventures of Tarzan," Page 6.

$2,396,045 Kodak Wage Dividends

Rochester, March 24.—A total of 27,175 persons working for Eastman Kodak in the Western Hemisphere received $2,396,045 in wage dividend checks today.

Checks totaling $1,779,844, went to 18,133 Kodak workers here in Rochester. Employes who worked 26 weeks last year received the checks. The payment brings the total wage dividends paid since the plan was inaugurated 29 years ago to more than $48,000,000.

Decide on Foreign Broadcasts Today

A meeting of the full committee of foreign publicity managers of major companies is scheduled today to take what may be final action on the long pending proposal to send recorded film programs to South American radio stations for broadcasting there.

In addition to cost considerations which have aroused objections to the proposal from some of the companies, it is learned that studio attorneys have advised the committee that possibilities of obtaining clearances for songs which may be recorded for the programs are not good.

The two obstacles may result in the abandonment of the program as an industry project, although one or two companies may utilize it on their own, regardless.

Wisconsin Measure Would Tax Rentals

Milwaukee, March 24.—The first tax measure aimed at the film industry to be introduced in the current Wisconsin legislature is a bill by Assemblyman Leland S. McParland to assess a 10 per cent film tax on all rentals over $500.

The bill would require distributors to furnish town, city or village assessors with a list of films sold or rented in each locality on May 1 of each year. Revenues from the tax, which would be paid to the assessors, would be divided 25 per cent to the state, 25 per cent to the county and 50 per cent to the municipality. Exhibitors were successful in defeating a bill in the 1939 legislature calling for a tax of $2.50 on each 1,000 feet of film.

SPG to Vote on Pact Terms on Thursday

Terms of the contract to be presented to the eight major film companies for negotiations will come up for final ratification at a meeting of the Screen Publicists Guild at the Hotel Piccadilly Thursday evening. Also on the agenda is the new national constitution for both the east and west coast S.P.G. organizations.

The National Labor Relations Board in Washington has under consideration transcripts of testimony taken at New York hearings on the petition of the S.P.G. for designation as collective bargaining agency for home office employes of advertising and publicity departments of the eight major companies.

Personal Mention

S. A. LYNCH is here from Florida for conferences with Paramount home office officials.

●

B. B. Kreisler, Universal short subjects sales manager, left last night for a tour of the company's Midwestern exchanges.

●

Ray Bell, newspaper contact man for M-G-M, is the father of a daughter, born late last week. She has been named Bonnie Rae.

●

Mitchell Rawson, Eastern publicity manager for Warners, returns today from Littleton, N. H.

●

Sam Rinzler, Randforce circuit executive, has returned from Miami.

●

Willem E. Van Beveren, 20th Century-Fox foreign representative, is expected late this week from Johannesburg, where he substituted for Otto Bolle, manager in South Africa, during the latter's vaction here.

●

L. W. Conrow, Altec president, has returned from a trip through the South.

●

Theodore Haeussler, projectionist at the Paramount in New Haven, is in New Haven Hospital.

JOSEPH BERNHARD, general manager of Warner Theatres, and Harry Goldberg, advertising manager, leave this morning to attend a zone managers' meeting in Albany.

●

Archibald Silverman, owner, and Edward L. Reed, manager of the Strand in Providence, have returned from a Southern cruise.

●

Al Richard, Robert Weitman, John D. Hertz, Jr., Armando, Charles Coburn, Arthur Loew, Mort Spring, Lee Shubert, Rose Franken, Bud Abbott, Lou Costello and Harry Kalcheim lunching at Sardi's yesterday.

●

Budd Rogers, Sam Spring, Douglas Rothacker and Sam Citron having lunch yesterday at the Tavern.

●

Abe Schneider, Harry Cosman, Seymour Poe and Lou Weinberg lunching yesterday at Lindy's (next to the Rivoli).

●

William and Lou Brandt, Martin Moskowitz and Jack Goetz at Lindy's (51st St.) yesterday for lunch.

●

William P. Montague of Paramount News has arrived on the Coast.

Table Sunday Option Measure in Georgia

Atlanta, March 24.—A written proposal to pay $5,000 to unnamed Atlanta attorneys to obtain passage of a Georgia Sunday film bill was read on Saturday in the House and resulted in an acclamation vote to table the measure, which had been passed by the Senate.

The letter was signed by R. E. Martin, Columbus, Ga., circuit operator, and was read in the House by Representative Harrison of Jenkins County. It was on the stationery of Martin Theatres at Columbus. It was addressed to Georgia exhibitors, according to Harrison, and declared that a firm of Atlanta attorneys had agreed to aid in getting the local option measure through the legislature for $5,000. The letter solicited funds for that purpose.

Johnston to Confer On British Release

W. Ray Johnston, Monogram president, is scheduled to meet today with William Gell of Pathe Films, Ltd., of London on the latter's return from the Producers Releasing Corp. convention in Chicago, in connection with a renewal of the Pathe contract for distribution of Monogram films in Great Britain.

Meanwhile Johnston has deferred his scheduled departure for the Coast from today until the end of the week because of illness and unfinished business. Johnston was stricken with a severe cold over the weekend.

Schaefer to N. Y. Friday

Hollywood, March 24.—George J. Schaefer, president of RKO, will leave for New York on Friday.

Universal Host to Abbott and Costello

Universal yesterday was host to Bud Abbott and Lou Costello, film and radio comedians, at a cocktail party at 21 Club. The two left for the Coast by plane last night to start on their second picture for the company.

Their contract with Universal calls for a maximum of four pictures during the next year. In addition, they announced the signing through the J. Walter Thompson Agency of a four-year contract with yearly options to appear on the Edgar Bergen-Charlie McCarthy radio program for Chase & Sanborn. The new assignment is to begin with the April 6 program.

Hold U.A. Luncheon

A United Artists' luncheon yesterday at the Louis XIV Restaurant was attended by Arthur Kelly, Haskell Masters, Harry Gold, Emanuel Silverstone, Morris Helprin, Al Margolies, Charles Stern, Clarence Eiseman, Monroe Greenthal, Steve Pallos and Paul Lazarus. The executives' party was in celebration of the company's passing $2,000,000 in sales this season.

Report Kennedy to Coast

Hollywood, March 24.—Jack Kennedy, formerly with the RKO foreign department abroad, is reported joining the RKO studio. Officials, however, said tonight they have no word about this. Kennedy had been given a leave of absence to join the Embassy staff of Joseph P. Kennedy, former Ambassador to Great Britain. He is now in the United States.

Roland Young to Coast

Roland Young left for the Coast yesterday after a New York visit.

Ga. House Defeats 5-Block Bill Revival

Atlanta, March 24.—The Georgia House on Saturday voted down a motion to reconsider the anti-block of five booking bill, which had been defeated by the lower house the day before.

Defense Inspection Group in Hollywood

Hollywood, March 24.—Studio personnel engaged in making Army training films will be hosts tomorrow to members of a War Department group headed by Lieut. Col. Frank A. Allen, Jr., member of the Army General Staff and one of the directors of the Army's public relations bureau, which arrived here yesterday for an inspection tour. The group includes Army officers and representatives of the newsreels, radio and photo services, who are making a trip covering national defense preparations throughout the country.

With Darryl F. Zanuck, vice-chairman of the film production defense committee as host, the program for the day includes a showing of "I Wanted Wings," talks by Walter Wanger and Arthur Hornblow, Jr., a luncheon at Warners at which H. M. Warner will be host, a visit to a set where a training film is in production, and talks by Zanuck, Col. Nathan Levinson and Capt. Gordon S. Mitchell, manager of the Research Council of the Academy of M. P. Arts and Sciences.

Mitchell returned today from Washington where the War Department officially accepted the first two training films made here.

Retired Showman Dies

Janesville, Wis., March 24.—Peter L. Myers, 73, retired theatre manager, is dead here. Myers managed the Myers Theatre, built by his father, for 30 years until 1914, when it was leased to other operators. Myers is survived by his wife.

Nathanson With U.A.

Morton Nathanson, formerly with the RKO publicity department, and more recently engaged in legitimate theatre publicity, has joined the home office publicity department of United Artists.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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'John Doe' Is Los Angeles Hit, $44,000

LOS ANGELES, March 24. — "Meet John Doe" was a hit here, taking a total $44,000 at two houses, $20,200 a[illegible] Warner Downtown and $23,800 at the Warner Hollywood. "Adam Had Four Sons" and "Play Girl" took $9,000 at the Hillstreet and $9,000 at the Pantages.

Estimated receipts for the week ending March 19:

"The Son of Monte Cristo" (U. A.)
"A Chump at Oxford" (U. A.)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average, $12,500)

"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days. 7th week. Gross: $12,000. (Average, $17,000)

"Gone with the Wind" (M-G-M)
4 STAR (900) (44c-55c) 7 days, 4th week. Gross: $3,800. (Average, $3,250)

"Adam Had Four Sons" (Col.)
"Play Girl" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average: $6,500)

"The Son of Monte Cristo" (U. A.)
"A Chump at Oxford" (U. A.)
LOEW'S STATE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $11,700. (Average, $14,000)

"Adam Had Four Sons" (Col.)
"Play Girl" (RKO)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average: $7,000)

"The Lady Eve" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: "Artists' Models of 1941". Gross: $18,500. (Average: $18,000)

"Gone with the Wind" (M-G-M)
UNITED ARTISTS—(2,100) (44c-55c) 7 days, 4th week. Gross: $7,200.

"Meet John Doe" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $23,800. (Average, $14,000)

"Meet John Doe" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $20,200. (Average: $12,000)

St. Louis Club Plans Charity Show Series

ST. LOUIS, March 24.—The first in a series of special events planned by the local Variety Club will be held Saturday at midnight at the 5,038-seat Fox Theatre. A lengthy vaudeville show, boasting 15 acts and two bands, will be presented under the direction of Muriel Stryker Hill.

Proceeds of the show will go to the fund created by the Variety Club for use in its sole charity, the Midwest Polio Association. It is the hope of the club to raise $250,000 within the next five years for the erection of a building.

W.B. Phila. House Burns

PHILADELPHIA, March 24.—The interior of Warners Family Theatre was completely wrecked by fire early yesterday morning. The house, seating 600, operates 24 hours a day and the fire broke out during the 14 hours it was closed for its weekly cleaning. Albert Plough, Warner district manager, estimated the damage at $25,000.

Fire Damages Delaware House

BRIDGEVILLE, Del., March 24.—Fire which started in the projection booth of the Keller Theatre here Saturday night razed the two-story building with an estimated $10,000 damage. Mace Allen, projectionist, was burned. The house, owned by William Keller, was to have been taken over by Philadelphia interests today.

Feature Reviews

"The Man Who Lost Himself"

(Universal)

Hollywood, March 24

STARRING Brian Aherne and Kay Francis, the former in two roles, this light comedy of lost identity and complications pertaining thereto affords a pleasant 70 minutes of frothy entertainment. Tower of strength in the comedy department is S. Z. Sakall, playing the hero's valet, while Henry Stephenson, Nils Asther, Sig Ruman, Dorothy Tree and Henry Kolker have other principal roles.

The story is a new treatment of the twin plot, presenting two men who look so much alike that no one can tell the difference, then killing one of them and placing the other in such circumstance that he must continue to permit the dead man's servants, associates and wife to believe he is the man he is not.

Aherne puts high spirit into the portrayal, Miss Francis being both effective and fascinating as the wife who, indignant and seductive in turn, is glad to find out at picture's end that the husband she did not love is dead and this man she does love is free to replace him in that relationship. Apart from a sequence in which the impostor flees her boudoir to escape intimacies not rightfully his to enjoy, there is nothing bordering upon the risque in the picture.

Edward Ludwig directed with a light touch. Ben Hersh acted as associate producer to Lawrence W. Fox, Jr. The film is staged in the high gloss with which Art Director Jack Otterson unfailingly coats this type of comedy.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

"Beyond the Sacramento"

(Columbia)

ANOTHER adventure with "Wild Bill Hickok," nee Bill Elliott, this minor Columbia offering more than meets requirements in the story department. It is a rousing Western yarn and with the aid of capable handling by players and director, it manages to hold interest between the bang-up action scenes, which are especially well done.

The story follows the theme of law-guardian versus outlaws, and in this case the latter are swindlers who attempt to gain the confidence of the townsfolk and then relieve them of their life savings. Although there is a minimum of riding and chasing, fist and gun battles are in abundance as the tale develops. The support is supplied by Bradley Page, Dub Taylor, Evelyn Keyes and others. Photography is at all times commendable.

Running time, 60 minutes. "G."*

**"G" denotes general classification.*

Tri-States Houses To Handle Own Ads

DES MOINES, March 24.—Under revised operating procedure to be made effective April 1 by the Tri-States Theatre Corp., every manager in the circuit will be expected to act as his own advertising and publicity man. The advertising and publicity department at the home office here will be enlarged.

Dale McFarland, manager of the Capitol at Davenport, Ia., will come here as advertising director, and Dorothy Day, now in charge of advertising and publicity, will head a new publicity department, and act as McFarland's assistant on advertising. Don Allen, manager of the Omaha Theatre, Omaha, will take McFarland's post at the Capitol, and Ted Emerson, who has had charge of advertising at the Omaha, will manage that house.

'Illusions' Korda Film

HOLLYWOOD, March 24.—"Illusions" will be the title of Alexander Korda's next film for United Artists, which will star Merle Oberon, the producer announced today. It is scheduled to go before the cameras next Monday. Joseph Cotten of the Mercury Theatre in New York has been cast in the film.

Fourteen New Films Approved by Legion

The National Legion of Decency for the current week has approved all of 14 new pictures reviewed and classified, eight for general patronage and six for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Back in the Saddle," "Double Date," "Federal Fugitive," "The Great Train Robbery," "Here Comes Happiness," "The Lone Wolf Takes a Chance," "A Man Betrayed," "Men of Boys Town." Class A-2, Unobjectionable for Adults—"Flying Wild," "Las Vegas Nights," "Man Made Monster," "Reaching for the Sun," "Scotland Yard," "Thirty Days Hath September."

Plan Capital Club Party

WASHINGTON, March 24.—Sidney Lust is chairman of the arrangements committee for the annual Father and Son banquet to be held by the local Variety Club on May 4 at the Hotel Mayflower. On the committee are: John J. Payette, Carter Barron, Gene Ford, Hardie Meakin, Sam Wheeler, Sam Galanty and Harry Lohmeyer.

43 New Films Now Shooting In Hollywood

HOLLYWOOD, March 24.—Forty-three pictures were before the cameras this week, as eight finished and nine started. Nineteen are being prepared, and 67 are being edited. M-G-M was the busiest studio, with 10 before the cameras, the same number as last week.

The tally by studio:

Columbia

Finished: "The Return of Daniel Boone."

In Work: "Senate Page Boys," "Time Out for Rhythm."

Started: "The Officer and the Lady."

M-G-M

Finished: "Washington Melodrama."

In Work: "Billy the Kid," "A Woman's Face," "Blossoms in the Dust," "Love Crazy," "Dr. Jekyll and Mr. Hyde," "The Uniform," "Lady Be Good," untitled Kildare series film, "Man from the City."

Started: Untitled Marx Bros. picture.

Monogram

In Work: "Widows of the Press."

Started: "The Phantom Killer."

Producers Releasing

Finished: "South of Panama."

In Work: "Billy the Kid's Trigger Pals."

Paramount

In Work: "Skylark," "The Great Man's Lady," "Hold Back the Dawn."

Started: "Buy Me That Town," "Aloma of the South Seas."

RKO

In Work: "Sunny," "Before the Fact," "Tom, Dick and Harry," "My Life with Carolina," "Hurry, Charlie, Hurry," "A Certain Mr. Scratch."

Republic

Finished: "Rookies on Parade."

In Work: "The Lady from New Orleans," "Singing Hills."

Started: "Country Fair."

20th Century-Fox

Finished: "The Great American Broadcast."

In Work: "Blood and Sand," "Miami," "Man Hunt."

Universal

Finished: "Mutiny in the Arctic," "Cracked Nuts," "Horror Island."

In Work: "Unfinished Business," "Sandy Steps Out," "Sing Another Chorus."

Started: "Tight Shoes."

Warners

In Work: "Sergeant York," "The Gentle People," "Underground."

Started: "Passage from Hongkong," "Dive Bomber."

Games Regulation Bill Killed in Iowa

DES MOINES, March 24.—A heated discussion in the Iowa House ended with the killing of the games bill proposed by Representative Joseph Wagner of Ottumwa by a vote of 50 to 43.

If the bill had passed it would have forced theatre operators in Iowa to award a prize on every game, prohibited more than three theatres from combining in any games plan and other regulations. Exhibitors throughout the state had opposed the bill.

REPU

DELIVERS ITS ENTIR

Despite many rumors and present trade conditions
its entire 1940-41

4 DE LUXE PRODUCTIONS
PRODUCTIONS • 12 ANNIV
PRODUCTIONS • 6 GENE AUTRY SPECIAL PRODUCT
MESQUITEER PRODUCTIONS • 8 DON "RED" BARRY AC

REPUBLIC HAS DELIVERED

Aug. 16, 1940—	**THE TULSA KID**	Don "Red" Barry, Noah Beery, Luana Walters
Aug. 29, 1940—	**OKLAHOMA RENEGADES**	The Three Mesquiteers: Robert Livingston, Raymond Hatton, Duncan Renaldo
Sept. 6, 1940—	**RIDE, TENDERFOOT, RIDE**	Gene Autry, Smiley Burnette, June Storey, Mary Lee
Sept. 11, 1940—	**GIRL FROM HAVANA**	Dennis O'Keefe, Claire Carlton, Victor Jory, Steffi Duna
Sept. 15, 1940—	**COLORADO**	Roy Rogers, George "Gabby" Hayes, Pauline Moore
Sept. 30, 1940—	**UNDER TEXAS SKIES**	The Three Mesquiteers: Robert Livingston Bob Steele, Rufe Davis, Lois Ranson
Oct. 10, 1940—	**FRONTIER VENGEANCE**	Don "Red" Barry, Betty Moran
Oct. 11, 1940—	**MELODY AND MOONLIGHT**	Johnny Downs, Barbara Allen (Vera Vague) Jerry Colonna, Jane Frazee, Mary Lee
Oct. 15, 1940—	**HIT PARADE OF 1941**	Kenny Baker, Frances Langford, Hugh Herbert, Mary Boland, Ann Miller, Patsy Kelly, Phil Silvers, Sterling Holloway, Barnett Parker, Borrah Minevitch and his Harmonica Rascals
Oct. 21, 1940—	**YOUNG BILL HICKOK**	Roy Rogers, George "Gabby" Hayes, Jacqueline Wells
Nov. 1, 1940—	**WHO KILLED AUNT MAGGIE?**	John Hubbard, Wendy Barrie, Edgar Kennedy, Elizabeth Patterson, Onslow Stevens, Joyce Compton, Walter Abel
Nov. 7, 1940—	**FRIENDLY NEIGHBORS**	Weaver Bros. and Elviry, Lois Ranson, Spencer Charters, Cliff Edwards, John Hartley
Nov. 11, 1940—	**THE TRAIL BLAZERS**	The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis, Pauline Moore
Nov. 15, 1940—	**MELODY RANCH**	Gene Autry, Jimmy Durante, Ann Miller, Barton MacLane, Vera Vague, George "Gabby" Hayes, Jerome Cowan, Mary Lee
Nov. 22, 1940—	**TEXAS TERRORS**	Don "Red" Barry, Julie Duncan, Arthur Loft
Nov. 29, 1940—	**MEET THE MISSUS**	The Higgins Family: Roscoe Karns, Ruth Donnelly, Spencer Charters, Lois Ranson, George Ernest, Polly Moran
Dec. 5, 1940—	**THE BORDER LEGION**	Roy Rogers, George "Gabby" Hayes, Carol Hughes
Dec. 6, 1940—	**BARNYARD FOLLIES**	Mary Lee, Rufe Davis, June Storey, Jed Prouty, Victor Kilian, Pappy Cheshire
Dec. 20, 1940—	**BEHIND THE NEWS**	Lloyd Nolan, Doris Davenport, Frank Albertson, Robert Armstrong
Dec. 23, 1940—	**LONE STAR RAIDERS**	The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis, June Johnson
Dec. 27, 1940—	**BOWERY BOY**	Dennis O'Keefe, Louise Campbell, Jimmy Lydon, Helen Vinson, Roger Pryor
Jan. 6, 1941—	**WYOMING WILDCAT**	Don "Red" Barry, Julie Duncan
Jan. 14, 1941—	**ROBIN HOOD OF THE PECOS**	Roy Rogers, George "Gabby" Hayes, Marjorie Reynolds
Jan. 24, 1941—	**RIDIN' ON A RAINBOW**	Gene Autry, Smiley Burnette, Mary Lee, Carol Adams
Jan. 28, 1941—	**ARKANSAS JUDGE**	Weaver Bros. and Elviry, Roy Rogers, Spring Byington
Jan. 31, 1941—	**PETTICOAT POLITICS**	The Higgins Family: Roscoe Karns, Ruth Donnelly, Spencer Charters, Lois Ranson, George Ernest, Polly Moran
Feb. 14, 1941—	**THE PHANTOM COWBOY**	Don "Red" Barry, Virginia Carroll
Feb. 16, 1941—	**PRAIRIE PIONEERS**	The Three Mesquiteers: Robert Livingston Bob Steele, Rufe Davis, Esther Estrella
Feb. 27, 1941—	**A MAN BETRAYED**	John Wayne, Frances Dee, Edward Ellis, Wallace Ford, Ward Bond, Harold Huber
Feb. 28, 1941—	**THE GREAT TRAIN ROBBERY**	Bob Steele, Claire Carleton, Milburn Stone, Helen MacKellar
Mar. 14, 1941—	**BACK IN THE SADDLE**	Gene Autry, Smiley Burnette, Mary Lee, Jacqueline Wells

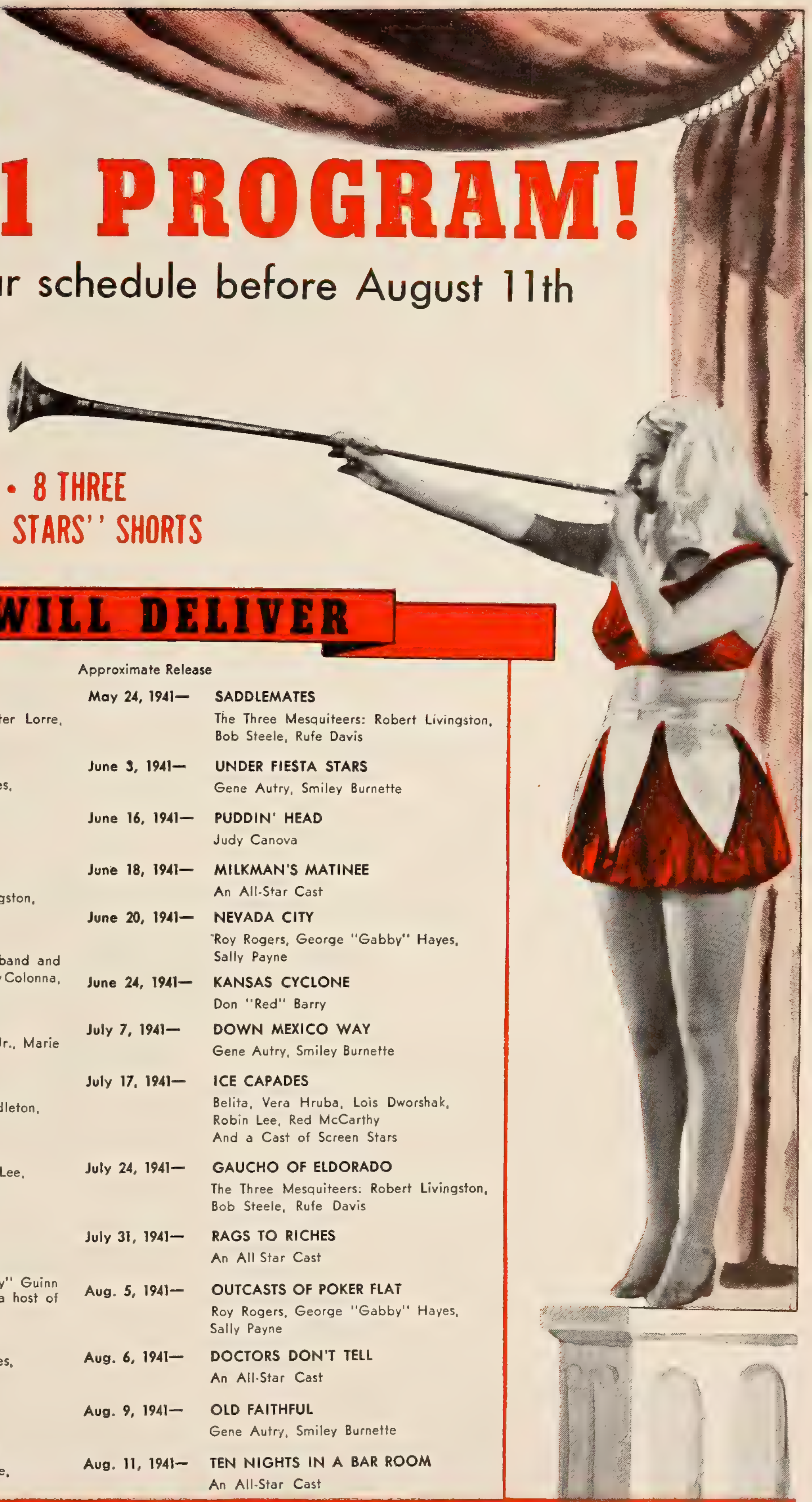
REPUBLIC IS ALREADY AT WORK ON
30 WESTERNS, 4 SERIALS AND 12 "M

BLIC

1940-1941 PROGRAM!

c will deliver on regular schedule before August 11th
ram consisting of:

AUTRY SPECIAL PREMIERE
PRODUCTIONS • 10 JUBILEE
ROY ROGERS HISTORICAL WESTERNS • 8 THREE
TERNS • 4 SERIALS • 12 "MEET THE STARS" SHORTS



REPUBLIC WILL DELIVER

Approximate Release	
Mar. 26, 1941—	**MR. DISTRICT ATTORNEY** Dennis O'Keefe, Florence Rice, Peter Lorre, Stanley Ridges
Mar. 28, 1941—	**IN OLD CHEYENNE** Roy Rogers, George "Gabby" Hayes, Sally Payne
Mar. 29, 1941—	**TWO GUN SHERIFF** Don "Red" Barry, Lynn Merrick
April 3, 1941—	**PALS OF THE PECOS** The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis
April 12, 1941—	**SIS HOPKINS** Judy Canova, Bob Crosby with his band and The Bobcats, Charles Butterworth, Jerry Colonna, Susan Hayward
April 17, 1941—	**ROOKIES ON PARADE** Bob Crosby, Ruth Terry, Eddie Foy, Jr., Marie Wilson, Gertrude Niesen
April 22, 1941—	**LADY FROM NEW ORLEANS** John Wayne, Ona Munson, Ray Middleton, Henry Stephenson, Helen Westley
April 26, 1941—	**SINGING HILLS** Gene Autry, Smiley Burnette, Mary Lee, Virginia Dale, Spencer Charters
May 1, 1941—	**A GAY VAGABOND** An All-Star Cast
May 5, 1941—	**COUNTRY FAIR** Eddie Foy, Jr., June Clyde, "Big Boy" Guinn Williams, Lulubelle and Scotty, and a host of radio stars
May 7, 1941—	**SHERIFF OF TOMBSTONE** Roy Rogers, George "Gabby" Hayes, Sally Payne
May 12, 1941—	**DESERT BANDIT** Don "Red" Barry
May 15, 1941—	**ANGELS WITH BROKEN WINGS** Mary Lee, Marilyn Hare, Jane Frazee, Leni Lynn

Approximate Release	
May 24, 1941—	**SADDLEMATES** The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis
June 3, 1941—	**UNDER FIESTA STARS** Gene Autry, Smiley Burnette
June 16, 1941—	**PUDDIN' HEAD** Judy Canova
June 18, 1941—	**MILKMAN'S MATINEE** An All-Star Cast
June 20, 1941—	**NEVADA CITY** Roy Rogers, George "Gabby" Hayes, Sally Payne
June 24, 1941—	**KANSAS CYCLONE** Don "Red" Barry
July 7, 1941—	**DOWN MEXICO WAY** Gene Autry, Smiley Burnette
July 17, 1941—	**ICE CAPADES** Belita, Vera Hruba, Lois Dworshak, Robin Lee, Red McCarthy And a Cast of Screen Stars
July 24, 1941—	**GAUCHO OF ELDORADO** The Three Mesquiteers: Robert Livingston, Bob Steele, Rufe Davis
July 31, 1941—	**RAGS TO RICHES** An All Star Cast
Aug. 5, 1941—	**OUTCASTS OF POKER FLAT** Roy Rogers, George "Gabby" Hayes, Sally Payne
Aug. 6, 1941—	**DOCTORS DON'T TELL** An All-Star Cast
Aug. 9, 1941—	**OLD FAITHFUL** Gene Autry, Smiley Burnette
Aug. 11, 1941—	**TEN NIGHTS IN A BAR ROOM** An All-Star Cast

REATER PROGRAM OF 32 FEATURES,
T THE STARS" SHORTS FOR 1941-1942

$285,000 for 'Dictator' in 23-Week Run

(Continued from page 1)

kept many New Yorkers outdoors over the weekend, resulting in spotty business on Broadway. "Meet John Doe" and "The Sea Wolf" both did well, however.

Playing two theatres, "Meet John Doe" grossed an estimated total of $23,000 Friday through Sunday, business at the Rivoli amounting to about $15,000 and at the Hollywood about $8,000. At the Strand "The Sea Wolf" with Charlie Spivak on the stage got off to a good start with an estimated $24,000 Friday through Sunday.

"That Night in Rio" will be held for a fourth week at the Roxy. The film with a stage show gave the theatre about $18,000 Saturday and Sunday. "Nice Girl?" goes into the Paramount tomorrow, with Charlie Barnet's orchestra and Dinah Shore on the stage. The bill replaces "Las Vegas Nights" and Ina Ray Hutton's orchestra, which finishes a week's stand tonight with about $42,000 expected. It drew about $21,000 Saturday and Sunday.

"Adam Had Four Sons" checks in at the Music Hall Thursday replacing "Cheers for Miss Bishop." The latter with a stage show brought the theatre an estimated $48,000 Thursday through Sunday. "The Great Dictator" did about $10,000 in its final six days at the Astor.

Critics, Executives at Mitchell Field Luncheon

Paramount executives and New York film critics were guests of Major General James E. Cheney, commanding officer of Mitchell Field, yesterday at a luncheon and field inspection visit preliminary to the opening of "I Wanted Wings" at the Astor.

A press preview of the picture will be held at the Astor tonight and the world premiere tomorrow night.

Among those at yesterday's luncheon were Barney Balaban, Stanton Griffis, Adolph Zukor and Y. Frank Freeman of Paramount; General John C. McDonnell, commander of the Seventh Pursuit Squadron; Colonel William E. Kepner, Colonel Douglas Johnson and other Mitchell Field officers.

Also, Bosley Crowther and Tom Pryor of the *New York Times;* Sam Shain; Robert Dana of the *Herald Tribune;* Kate Cameron, Wanda Hale and Anne Masters of the *Daily News;* William Boehnel and Frank Farrell of the *World-Telegram;* Eileen Creelman of the *Sun* and Archer Winsten of the *Post.*

Several thousand amateur pilots in the East Central states have been invited to attend a special screening of the picture at the Astor on Saturday and estimates are that 200 to 500 of the private plane owners and pilots will attend.

Resume Sunday Price

WATERBURY, Conn., March 24.—Warners have gone back to the former 44-cent Sunday top at the State Theatre here, after trying a five-cent rise on Sundays for a short time.

Feature Reviews

"Footlight Fever"

(RKO)

THE exaggerated difficulties of two Broadway play producers in obtaining backing for a new production provide a story for "Footlight Fever" which is frequently amusing and some times too implausible even for comedy.

Alan Mowbray and Donald MacBride, as the producers, suffer almost every known form of embarrassment, abuse and frustration in their efforts to obtain financing for their play before they finally ensnare Elisabeth Risdon, a wealthy recluse. Then, on opening night, MacBride becomes enamoured of the leading male role and is insistent upon playing it himself. Mowbray's attempts to stop him and save the part for Lee Bonnell, their male "discovery," end with both producers in the hospital. Regaining consciousness there, they rush to the theatre believing it is still opening night, only to discover that the play is a hit and in its second month. Interwoven in a minor key is the romance between Elyse Knox, as the wealthy spinster's niece, and Bonnell.

Howard Benedict produced and Irving Reis directed.

Running time, 69 minutes. "G."* SHERWIN A. KANE

"The New Adventures of Tarzan"

(J. H. Hoffberg)

THE filming of this novel by Edgar Rice Burroughs is said to have taken place about three years ago in Guatemala. The distributor, in listing the credits, identifies it as an Ashton Dearholt "expedition picture."

It is fairly obvious that the original Burroughs' piece had its screen potentialities. However, with the apparently inexperienced players on hand and inadequate technical values, the film is far short of the exciting jungle melodrama it might have been. Jumbled direction has the story in some instances almost incoherent while the sound and photography are no more than just adequate. Playing the role of "Tarzan" is Herman Brix, while the various other assignments are handled by comparatively unknown players.

Running time, 82 minutes. "G."*

**"G" denotes general classification.*

25-Cent Student Matinees To Build Stage Patronage

(Continued from page 1)

will meet and set a date for a matinee. The 25-cent tickets for the entire house will be turned over to the educational officials who have undertaken to supervise distribution and make the cash return.

The board will then deduct the expenses for operating its office, printing tickets and the salaries of certain low-paid theatre employes such as porters, ushers, etc. The remainder of the fund will be divided equally among all others employed in the production on a per capita basis. Producers will not share in these funds and the unions will waive the usual salary requirements.

The Stagehands Union and the Theatrical Managers and Agents Union already have granted formal approval. Equity will vote approval today. The Dramatists Guild and Musicians Union, Local 802, have not met to consider the matter but officials of these groups have indicated to Harding that approval is almost certain.

Under present plans only one performance of each play will be given for the high school students. Whether it is desirable to expand the service will be decided after the response to the plan is studied. It is expected that about 12 to 15 plays will be performed for the benefit of the students under this plan.

Greek Relief Drive Under Way Today

(Continued from page 1)

unteered their services. Marvin Schenck is producer of the show.

The theatres throughout the country will run a short trailer soliciting funds, and will show "Greece Fights Back," subject distributed by Paramount, the proceeds of which will go to the fund. In addition, 1,142 theatres will give midnight shows, and 123 houses in 120 cities will give special midnight stage shows, with stars making personal appearances.

Herman A. DeVry Dies at Age of 65

(Continued from page 1)

Inc., which became the De Vry Corporation, when he bought the Q.R.S. company in 1932. He was a close friend for many years of Dr. Lee De Forest. He founded De Forest Training, Inc., which trains students with the aid of home films as text books.

De Vry is survived by his widow, two sons and a daughter.

Studio Labor Status Up at U. S. Hearing

(Continued from page 1)

concessions over and above the wage-hour conditions they already have obtained and to obtain possible benefits accruing under the law.

At stake are possible elimination of distant location rates, shifts in overtime and work week limitations, and exemption and non-exemption of certain groups from the act's provisions.

Joseph Padway, A. F. L. general counsel, who will represent the I.A.T.S.E. at the hearing, arrived yesterday and today conferred with business reperesentatives of the locals preparing a protest. The I.A.T.S.E., it was reported, would seek to push negotiations for new contracts with the producers before final decisions on the wage-hour matters are reached.

International unions signatory to the studio basic labor agreement also will appear to protest, chiefly against parts of the report of E. M. Cocking, chief analyst of the division, which, the unions say, threaten to interfere with concessions obtained from the producers through the pact.

There are 554 classifications of workers whose status as to professional and non-professional have been agreed upon by employers and employes, according to the Cocking report. Thirty-one classifications are in doubt.

Providence Rules Cut Total of Games

PROVIDENCE, March 24.—More rigid restrictions governing games here recently imposed by the Bureau of Police and Fire have reduced the number of such games weekly from 39 to 30, police headquarters stated.

The new regulation requires that religious and charitable organizations conduct games only in their permanent quarters. The bureau is awaiting the decision of City Solicitor William A. Needham on the new regulation.

Extend Museum Series

The film series, "Forty Years of American Film Comedy, Part II," consisting of 24 films arranged in 11 programs, will be extended from March 30 through May 19, by the Museum of Modern Art Film Library. The films are shown daily at the Museum, without an admission charge.

Auction Rug for British

A Royal Abustan rug, duplicate of that used in the Alexander Korda-United Artists film, "The Thief of Bagdad," will be auctioned for the benefit of the British American Ambulance Corps at a supper at Jack Dempsey's Restaurant tonight.

Titles French Picture

Herman G. Weinberg has completed English titles for "L'Homme Qui Cherche La Verite" (The Man Who Seeks the Truth), French film scheduled for release here this season by Joseph Gottesman.

'Eve' Providence Hit, Takes $10,800

PROVIDENCE, March 24.—Three days of extremely cold and windy weather were blamed for indifferent returns by exhibitors here, but the Strand's double, "The Lady Eve" and "A Man Betrayed," came in with a strong $10,800.

Estimated receipts for the week end[illegible] March 19-20:

"Mr. and Mrs. Smith" (RKO)
"Little Men" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $6,000)
"The Great Dictator" (U. A.)
"The Devil Commands" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days Gross: $10,800. (Average, $11,000)
"Footsteps in the Dark" (W. B.)
"Here Comes Happiness" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,000. (Average, $7,000)
"The Lady Eve" (Para.)
"A Man Betrayed" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $10,800. (Average, $6,000)
"Flying Wild" (Mono.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Will Bradley and orchestra; Ray McKinley; Stump and Stumpy; the Five Elgins; and Catherine Westfield. Gross: $7,000. (Average, $4,700)
"Shadows on the Stairs" (W. B.)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage shows with Don Zelaya; Toyland Frolics; Dance Fantasies; the Five Cordovas; and Garner & Wilson. Gross: $4,200. (Average, $5,000)
"Tobacco Road" (20th-Fox)
"The Great Mr. Nobody" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $1,700. (Average, $3,500)
"Honeymoon for Three" (W. B.) (3 days)
"Romance on the Rio Grande" (20th-Fox) (3 days)
"Western Union" (20th-Fox) (4 days)
"Life with Henry" (Para.) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

Expect Dual Ban Bill Up This Week in Mo.

JEFFERSON CITY, Mo., March 24.—Designed to eliminate double and triple features, a bill will be introduced in the Missouri legislature this week to limit motion picture performances to two and a half hours. The measure will be sponsored by the Better Films Council of Greater St. Louis.

The bill provides a 15-minute intermission if the performance runs more than two and a half hours. Violations would be punishable by fines ranging from $100 to $500 or six months in jail or both.

Representative Paul Turner has introduced another measure prohibiting standing room, the measure providing that no tickets may be sold to a place of public entertainment when the seating capacity of the house is filled. Similar bills have been defeated in previous sessions. Exhibitors are expected to fight the measure.

Reserve Dietrich Ruling

City Court Justice James C. Madigan yesterday reserved decision in the $90,000 breach of contract suit of Jack Forrester, French producer, against Marlene Dietrich. Forrester charges that Miss Dietrich failed to make a picture in France in 1939 for which she had contracted.

Plan 'Hopkins' Premiere

HOLLYWOOD, March 24.—Sam Abarbanel and Al Ardmore of Republic's publicity department left today for St. Louis on preparations for the premiere of "Sis Hopkins" April 4. Herbert J. Yates and William Saal of the studio will leave for St. Louis tomorrow.

Directors Assigned for Three Top Metro Features

Hollywood, March 24

DIRECTORS' assignments made the biggest production news, as M-G-M assigned directors to three of its biggest productions and other studios announced production plans. Roy Del Ruth, whose last at M-G-M was "Broadway Melody of 1938," was given a term deal at M-G-M and as his first, will guide "The Chocolate Soldier," which will star Nelson Eddy and Rise Stevens, the latter the newly signed Metropolitan opera star. Victor Saville will produce.

Frank Borzage was set on the remake of "Smilin' Through," which will be a musical version with Jeanette MacDonald in the Norma Shearer role. Busby Berkeley, who directed Mickey Rooney and Judy Garland in "Babes in Arms" and "Strike Up the Band," both musicals, will guide the pair and Shirley Temple in "Babes on Broadway." The picture will be Shirley's first for M-G-M.

• •

Warners brought out "King Rubber," original story by Barry Trivers of the South American rubber industry, and assigned William K. Howard to guide it, with Ray Enright taking over Howard's previously announced task on "Bad Men of Missouri," with Wayne Morris, Arthur Kennedy and Joan Perry in the leads. There is some question of Humphrey Bogart playing a featured role in the picture. No casting has been announced for "King Rubber."

• •

Direction of "Betty Co-Ed," musical to feature Ruby Keeler, Harriet Hilliard and Ozzie Nelson and his band at Columbia, has gone to Edward Dmytryk, as his first under a recent four-picture deal. Howard Bretherton will guide "The Sheik of Buffalo Butte," Hopalong Cassidy picture to be produced by Harry Sherman.

• •

Harry Sherman has signed Brad King, guitar playing rodeo champion, to enact the role of "Johnny Nelson," character created by Clarence E. Mulford for the Hopalong Cassidy westerns starring Bill Boyd. . . . Two new acquisitions to Columbia's "name" roster are Lois Andrews (Mrs. George Jessel), who will appear in "Girls from Panama," and Lupe Velez, who will be featured in "Honolulu Lou." Miss Velez is under contract at RKO to appear with Leon Errol in three "Lord Epping" tales. . . . Deanna Durbin will star with Charles Laughton in Universal's "Almost An Angel," to be produced by Joe Pasternak and directed by Henry Koster.

• •

William Berke, formerly at Republic, has been signed as a producer for the Charles Starrett Columbia films and will handle two of the three this season, all of which will be based on James Rubel's novel, "The Medico of Painted Springs." The first will have that title, the second "The Medico Rides" and the third, "The Medico Hits the Trail." . . . M-G-M has acquired the contract, held by Monogram, of Veda Ann Borg, and she will be replaced in Monogram's "Widow of the Press" by Evalyn Knapp. Dorothy Lee replaces Peggy Shannon in the same picture. . . . Columbia has purchased Steven Vas' original, "Dangerous Curves," for production as a musical.

• •

Republic will transfer Bret Harte's "The Outcasts of Poker Flat" to the screen with Roy Rogers and George "Gabby" Hayes in the leads. Joseph Kane will direct the film, to be produced by Joseph Santley. . . . With Olympe Bradna, James Stephenson and Ronald Reagan in the leads, "The Flight Patrol," Warner picture of youthful flyers in the R. A. F., gets under way this week. Lothar Mendes will direct.

• •

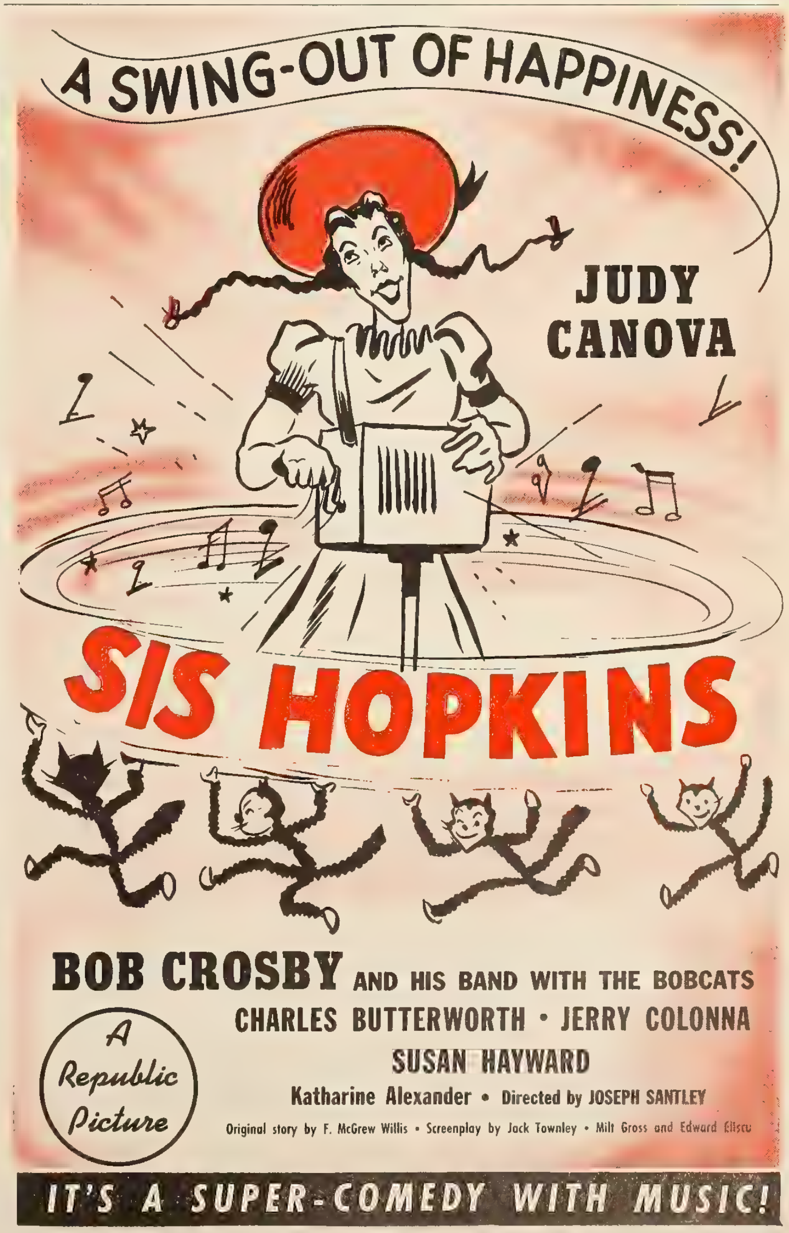
Paramount has borrowed Edward Arnold from M-G-M for "Nothing But the Truth," which will star Bob Hope and Paulette Goddard. Other Paramount castings are Barbara Jo Allen (Vera Vague) in "Buy Me That Town;" Porter Hall in "Parson of Panamint" (Sherman); and Katherine De Mille in "Aloma of the South Seas." . . . Tony Martin and Virginia Grey get the romantic leads in the Marx Brothers picture at M-G-M. . . . Paul Kelly will support Robert Sterling, Marsha Hunt, Virginia Weidler and Fay Holden in M-G-M's "Man From The City."

On the Half-Shell

SUITING the subject matter to the tastes of the viewers, Paramount today at 12:30 will screen the one-reel short, "Wild Oysters," and follow it with a repast of all the oysters those present can hold, washed down with wine. At the same time, a professional "opener" will show the folks how oysters should be opened.

Opens Kansas Theatre

KANSAS CITY, March 24.—Don Phillips has opened the Lyric at Colby, Kan., and has closed the Colby, which he operated in that town.



BOB CROSBY AND HIS BAND WITH THE BOBCATS
CHARLES BUTTERWORTH • JERRY COLONNA
SUSAN HAYWARD
Katharine Alexander • Directed by JOSEPH SANTLEY
Original story by F. McGrew Willis • Screenplay by Jack Townley • Milt Gross and Edward Eliscu

Prompt F.C.C. Approval Seen For Television

(Continued from page 1)

upon the requirements of the defense program for the skilled technicians and materials, a point which was raised by CBS officials last week.

At the same time, Jolliffe disclosed that RCA had broken down the organization which it formed a year ago to manufacture and market receivers and would have to start from scratch. Representatives of other television interests denied that any difficulty would be encountered in meeting public demand for receivers. Farnsworth Television representatives disclosed that their company would be prepared to act within four months after issuance of a commission order.

In a brief filed at the close of the hearing the Allen B. DuMont Laboratories charged that the reluctance of RCA and CBS for immediate commercialization was due to an unwillingness to subject their radio networks to the new competition.

Members of the FCC made it clear that they were not in sympathy with RCA's position, Fly pointing out that further delays would mean that the industry would "be put to the expense and inconvenience of ever recurring hearings," while Commissioner Thompson told Jolliffe flatly that he could not subscribe to the latter's philosophy.

Representatives of Zenith Radio Corp. and other companies suggested minor changes in the standards, particularly with respect to hours of service, there being general agreement that a requirement of five hours a day at the start is too great a burden.

Club Affirms Mutual Contract on Fights

Contracts giving Mutual exclusive rights to boxing bouts beginning June 1 are in good order and will go into effect on that date, a spokesman for the 20th Century Sporting Club said yesterday.

He asserted that a check given by NBC-Blue which has held those rights since 1937 was a loan and has since been repaid.

Edgar Kobak, vice-president in charge of sales for the Blue, has asserted that the check was an advance for the 1941-'42 rights, and that a suit would be started. Mike Jacobs is head of the sporting club.

Play by Bercovici Will Open Tonight

A new play, "Gabrielle," by Leonardo Bercovici, based on Thomas Mann's "Tristan," will be presented tonight at the Maxine Elliott Theatre. Rowland Leigh is the producer and Randolph Carter directed. The cast includes Eleanor Lynn, John Cromwell and Harold Vermilyea.

Off the Antenna

CRAWFORD CLOTHES has made two large purchases of time over WMCA and WHN, it was disclosed yesterday, contracting for 16¾ hours for 52 weeks. The contracts went into effect Sunday.

The WMCA total is for 12¼ hours weekly and includes news, music and sports. In the schedule are "Rise and Whine," Monday through Saturday, 7:30-7:45 A.M.; news, Monday, Wednesday, Friday and Saturday, 12:15-12:30 P.M., Monday through Friday, 7:15-7:30 P.M. and Friday only, 12-12:15 A.M.; Art Green and recorded music, Wednesday, 4:15-4:30 P.M., Monday through Friday, except Wednesday, 5:30-5:45 P.M., Sunday, 12:30-1:30 P.M., Monday, 11-11:15 P.M. and Wednesday, 9-9:15 P. M.; "Sportscope" with Lester Bromberg, Monday and Friday, 8-8:15 P.M.; "The Old Refrain," Saturday, 5:30-6 P.M. There are also nine recorded programs on Saturday.

On WHN, Crawford will sponsor U.P. news Tuesday, Thursday and Saturday 7:15-7:30 A.M. and 8:30-8:45 A.M. Green and recorded music will be sponsored Monday, Wednesday and Friday, 1:30-1:45 P.M. and 6-6:15 P.M. Major Paul C. Raborg, military analyst, will be sponsored Monday through Saturday 7:45-8 P.M.

• • •

Purely Personal: *Richard Crooks will be guest on the "Ford Sunday Evening Hour" over CBS Sunday. . . . Robert C. Sherwood, Columbia Pictures producer, will be guest on "So You Think You Know Music" over WEAF tonight at 7:30. . . . William Hillman, NBC London correspondent now on a visit here, will be guest speaker at the Olean, N. Y., Chamber of Commerce April 15. . . . Nat Berlin, of WNEW continuity department, and Dick Pack, of WOR publicity, have had two scripts accepted for "Anthology of Non-Royalty Plays" soon to be published by Greenberg & Son.*

• • •

Joe Pasternak will be guest on the first Louella Parsons program on CBS Friday evening on which his new Universal film, "Flame of New Orleans," will be dramatized with Marlene Dietrich and Bruce Cabot. . . . Edward G. Robinson will depart from the usual format of his CBS "Big Town" show to present an adaptation of Warners' "The Sea Wolf." The date is tentatively set for April 23.

• • •

Prominent Negro entertainers will be heard Sunday at 5 P.M. over CBS as part of the campaign of the National Urban League to aid Negroes in finding employment. Those who will be heard include Marian Anderson, Ethel Waters, Joe Lewis, Duke Ellington, Ella Fitzgerald, Louis Armstrong, John Kirby, Bill Robinson, Kenneth Spencer, the Golden Gate Quartet and Anne Wiggins Brown.

• • •

Program News: *Benny Goodman's WJZ program for Old Gold will be staged at Manhattan Center beginning Monday. Goodman will start playing for dancing at 6:30 P.M. The program will go on the air at 7:30. . . . WHN has restored "Music to Read By" to its original midnight to 1 A.M. spot. . . . Quaker Oats Co. has extended the contract for "Girl Alone" to April 25 over NBC-Red. . . . Bessie Beatty's program over WOR celebrates its sixth month on the station this week with 12 sponsors listed. The program is now completely sold out. . . . Maurice Dreicer will start a series of ghost stories over WHOM beginning tonight. He will be heard Monday through Friday 11:15 11:25 P.M. . . . Beginning Monday, "The Munros" will be heard at 10:15 A.M. instead of 11:00 over NBC-Blue. . . .Zeke Manners and his Gang will return to WNEW this week in a new series Monday through Friday 9-9:30 A.M.*

Theatre Changes

Plan RKO Trenton House

TRENTON, N. J., March 24.—A permit for the construction of a new theatre, to seat 800 persons, has been granted to James M. Brennan, RKO divisional manager. The structure, to cost $30,000 exclusive of equipment, will be built in suburban Hamilton Township. Work is expected to start next Fall upon completion of the new RKO neighborhood house in the city proper.

Reopen Missouri Theatre

CLARENCE, Mo., March 24.—Thill Fetheringill and R. W. Roy have reopened the Clarence here.

Takes Over Kansas House

KANSAS CITY, March 24.—Sol Banks has taken over the Avon, Hillsboro, Kan. Herschel Arnold, former owner of the Avon, will continue operating the Chapman at Chapman, Kan.

Manages Texas Houses

LUBBOCK, Texas, March 24.—Boyd F. Scott has been named manager of the Broadway and Lyric here, succeeding Howard Jaggers, who is managing the Kiowa, Hobart, Okla.

Takes Uvalde, Texas, Houses

UVALDE, Texas, March 24.—Jack Pickens has taken over the Strand and Ritz Theatres here.

Shifted in Rochester

ROCHESTER, March 24.—Frank Placerean, assistant to Francis Anderson at the Palace, has been shifted to assistant at the Temple, to succeed Edward Dunn, drafted.

Re-Carpet Wilkes-Barre House

WILKES-BARRE, Pa., March 24.—New carpeting has been installed in the theatre, foyer and lobby of the Irving Theatre.

Mexico Approves Frequency Change

Washington, March 24.—The final barrier to the application on Saturday of the North American Regional Agreement was eliminated today when the FCC was advised through the State Department that the Mexican Government has approved the frequency allocations to Mexican stations.

The Mexican ratification of the allocations worked out at meetings here in January was the last one to be received, Canada and Cuba having earlier expressed their acceptance of the frequencies set up for them.

Ascap Is Continuing Work on Radio Pact

Ascap's radio negotiating committee and board of directors held meetings yesterday to further the preparation of formulae for both blanket and per program contracts for radio networks. The work is expected to be completed within the next 10 days or two weeks.

The formulae will be presented to both the National Association of Broadcasters and to Mutual Broadcasting System. The latter network is conducting its negotiations direct with Ascap and held its first meeting with the music society's radio committee at the weekend. The meeting was described by Ascap officials as "amicable."

It was reported that the question of Broadcast Music, Inc.'s, future was raised at the meeting but brought forth no suggestions from the Ascap delegation.

Philco Net Income Up to $2,268,568

PHILADELPHIA, March 24.—Net income of Philco Corp. for 1940 after all taxes and charges was $2,268,568 as compared with $1,899,323 for 1939, it was announced today by James T. Buckley, president. During 1940 Philco became the first manufacturer to produce 2,000,000 sets in one year, Buckley said. Earnings amounted to $1.65 per share on the common as compared with $1.38 in 1939.

Second Phila. Station Will Move to Jersey

PHILADELPHIA, March 24.—WCAU will be the second local station to move across the state line to New Jersey when it moves its 50,000-watt transmitter to Moorestown Township about July 1. WIP was the first station to move its transmitter to New Jersey. WCAU officials stated that an estimated $250,000 will be spent for the new equipment.

Kay Francis in 'Aunt'

HOLLYWOOD, March 24.—Kay Francis has been signed by 20th Century-Fox for "Charley's Aunt," which will star Jack Benny.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 59 NEW YORK, U. S. A., WEDNESDAY, MARCH 26, 1941 TEN CENTS

Speed Urged As Essential In Arbitration

A. A. A. Counsels Boards To Oppose Delays

Speed and economy are essential in arbitration proceedings, members of the film industry arbitration machinery are counseled by the American Arbitration Association in a manual issued yesterday to more than 700 persons comprising the board panels.

The arbitrators are urged to avoid delays by "opposing dilatory practices by parties or counsel and by refusing unnecessary adjournments," and to maintain low costs by "keeping within allowances when they are set or regulating rigorously the expense when the parties have neglected to safeguard themselves."

The manual details the powers, duties and responsibilities of the arbitra-

(*Continued on page* 6)

20th-Fox Quarter Profit, Year Loss

With a fourth quarter profit of $558,275, Twentieth Century-Fox yesterday reported a consolidated net loss for the year ended Dec. 28 of $517,336. This figure is after providing a reserve for foreign assets of $2,800,000 during the year. During the fourth quarter, $600,000 was set aside as a reserve. Had no reserve for foreign assets been set aside, the company would have shown a net profit of $2,032,664 for 1940 after provision for Federal income taxes.

"While operating results for the

(*Continued on page* 6)

N.L.R.B. Hearing Set April 3 on SPG Plea

The National Labor Relations Board has set April 3 as the date on which it will hear argument in Washington on the petition of the Screen Publicists Guild for certification as collective bargaining agency for publicity and advertising employes in the home offices of the eight major companies.

Hearings were concluded in New York several weeks ago before Trial Examiner Daniel Baker. In accordance with the regular procedure, the testimony taken at these hearings was forwarded to Washington for a decision by the board.

Study Cartoons Use In Defense Training

Washington, March 25.—Walt Disney's animated cartoons may be used to demonstrate how certain mechanical tasks involved in the defense program are performed, under negotiations under way by the Office of Production Management, it was revealed today.

The pictures would be used in the OPM's "in-plant" training courses, through which thousands of skilled workers are to be trained for defense jobs.

It was disclosed that the Disney studio has made a number of drawings for military unit insignias free of charge, but defense officials will seek a contract under which the cartoon maker will be paid, believing that the projects they have in mind are too extensive to be made without charge.

Abandon Plan for Programs to S. A.

Proposals for broadcasting motion picture programs in South America were virtually abandoned yesterday when a committee of foreign publicity managers of major companies voted to take no action on the plan and to leave the entire matter in abeyance indefinitely.

No further meetings on the subject are scheduled.

Difficulties in clearing songs for broadcasting in South America as parts of recorded programs were cited as the principal obstacle to the proposals. This newest difficulty added to the opposition to the broadcast plans from a majority of the companies, which already regarded them as too costly for practical purposes.

Court Authorizes Study of 'U' Data In Schine Action

BUFFALO, March 25.—Federal Judge John Knight today signed an order authorizing the Government to inspect numerous documents of Universal Pictures Co., Inc., and Universal Film Exchanges, Inc., as defendants in the Federal anti-trust suit against the Schine Circuit, pending in Federal court here.

The documents which the companies must open to the Government are primarily any which relate to business dealings Universal may have had with Schine theatres and with the seven other major companies named as defendants in the original complaint here.

Papers to be inspected include these containing names of corporations or persons to whom Universal allegedly refused to license films or with whom

(*Continued on page* 7)

Early Report Due On Studio Labor

LOS ANGELES, March 25.—Promising an early report of his findings, Chief Examiner Merle Vincent of the Federal wages and hours division today opened hearings on protests on reclassification of studio workers and other problems pertaining to labor relations in film production.

An agreement between the unions and the producers to classify nurses as professional workers was the only point settled today. On the request of Joseph Padway, A.F.L. counsel and I.A.T.S.E. spokesman, the hearing on protests of I.A.T.S.E. locals was postponed until tomorrow.

Vincent said at the conclusion of the hearing that he would report his findings to Gen. Phillip B. Fleming, national wage-hour administrator, for his

(*Continued on page* 7)

English Exhibitors Refuse to Book Propaganda Film Duplicating Reels

London, March 25.—English exhibitors are rebelling against the weekly propaganda short subject issued yesterday by the Ministry of Information, depicting a German air raid.

It is claimed that the Ministry is unfairly competing with the newsreels, and is expecting the theatres to show material already adequately and almost exactly covered in a recent newsreel.

The major English circuits and other theatres totaling 1,500 houses are refusing the subject and the Ministry has been compelled to issue publicly statements of apology. It is expected the Cinematograph Exhibitors Association will maintain a firm attitude on the issue, considered vital to exhibition interests, which fear increasing Government encroachment in the field and function of the film industry.

U.A. to Have 11 Producers Next Season

Cooper, Pressburger and Czekely Added

HOLLYWOOD, March 25.—United Artists will start the 1941-'42 season with at least 11 producers, exclusive of David O. Selznick, Charles Chaplin and James Roosevelt, it was learned here tonight.

Among the new producers whose names will appear on the U.A. roster are Merian Cooper, scheduled to make one picture for Walter Wanger; Arnold Pressburger, continental producer and director, and William Czekely.

Pressburger, authorities assert, will make at least one picture for U.A. for the coming season.

Others whose productions will be released by U.A., in 1941-'42 are Alexander Korda, Walter Wanger, Edward Small, Gabriel Pascal, Sol Lesser, Ernst Lubitsch, David Loew-Albert Lewin, and Richard Rowland.

James Roosevelt has completed "Pot o' Gold," which U.A. is presently releasing. This picture will have an international premiere in Mexico City, early in April. Dignitaries and newspapermen from Washington and around the country as well as Mexico will attend the ceremonies.

In regard to Arnold Pressburger, the *International Motion Picture Al-*

(*Continued on page* 6)

'Wings' to Open on Broadway Tonight

Industry executives, Army and Navy officials and New York society will gather tonight at the Astor Theatre on Broadway for the opening of "I Wanted Wings," Paramount picture. Tomorrow it will begin an indefinite run on a two-a-day, reserved seat basis.

Last night a press preview was held at the theatre. Tonight's guest list also will include Air Marshal William A. Bishop, chief of the Canadian Air Force, and former Postmaster General James A. Farley.

In Today's Issue

Orson Welles returns to Broadway with "Native Son," and what the critics say about it.—See Page 3. Reviews of "Outlaws of the Panhandle" and "Chinese Den," on Page 6. Critics' Quotes, Page 7.

Coast Flashes

Hollywood, March 25

KENNETH MACGOWAN, 20th Century-Fox producer, today was given a farewell party by studio personnel headed by Darryl F. Zanuck on the occasion of his leaving late this week to become production head of the motion picture division of Nelson Rockefeller's office of commercial and cultural relations between the American republics. MacGowan, who has been given a year's leave of absence, will make his headquarters in New York.

•

Paramount today set Frances Farmer and Ricardo Cortez to co-star with John Barrymore in "World Premiere."

•

Henry Fonda, Randolph Scott and Dana Andrews were cast today in the top spots of "Belle Star," 20th Century-Fox film. The title role is not yet filled.

Tracy Barham, Head Of Northio, Married

CINCINNATI, March 25.—Tracy Barham, general manager of Paramount's Northio Theatres, was married at Martin's Ferry, O., today to Margaret Rohrkemper of Hamilton, O. The wedding took place at the home of Mr. and Mrs. Warren Copp, parents of Carolyn Lee, Paramount baby starlet who was "discovered" by Barham. The couple left for Hot Springs, Va., following the ceremony.

Personal Mention

GEORGE J. SCHAEFER, RKO president, is due here from the Coast tomorrow.

•

W. A. SCULLY, Universal general sales manager, will return to New York today from the South.

•

HERMAN WOBBER, 20th Century-Fox general sales manager, arrived from the Coast by plane last night.

•

GABRIEL PASCAL will leave Miami today and will arrive on the Coast tomorrow.

•

TERRY TURNER, head of the RKO field staff, has returned from a trip to the Coast.

•

AL FELLERMAN of Warner Theatres is the father of a daughter, born on Monday at Shore Road Hospital, Brooklyn.

•

MAXWELL WEINBERG, manager of the Little Theatre in Baltimore, has returned from a honeymoon trip with MRS. WEINBERG.

•

G. B. ODLUM of Paramount will leave for Florida today with MRS. ODLUM.

•

D. C. KENNEDY, manager of the Des Moines M-G-M exchange, is on a two-week trip to California with MRS. KENNEDY.

WILLIAM F. RODGERS, M-G-M general sales manager, is expected to return tomorrow from a Florida vacation.

•

FRANK DONOVAN, vice-president of RKO Pathe News, is on the Coast. He will return in about three weeks.

•

MONROE GREENTHAL, BEN BERNIE, AL MARGOLIES and LOU WEINBERG at Lindy's (next to the Rivoli) yesterday for lunch.

•

ROBERT WEITMAN, GEORGE DEMBOW, JOSEPH VOGEL, CHARLES REAGAN, ALEC MOSS, ARMANDO, ALLAN JONES and LAUDY LAWRENCE lunching yesterday at Sardi's.

•

WILLIAM FERGUSON, MAURICE BERGMAN, WILLIAM BOEHNEL, FLOYD WEBER, EDWARD PESKAY, LEO JAFFE, MARVIN SCHENCK, WALTER FUTTER and HARRY THOMAS at the Tavern yesterday for lunch.

•

HARRY GOLD, JOSEPH SEIDER, MAX A. COHEN, GEORGE SKOURAS, GEORGE BENAS and RALPH AUSTRIAN, at Nick's Hunting Room for lunch yesterday.

•

HARRY BRANDT, NORMAN ELSON, MARTIN MOSKOWITZ, GEORGE GIVOT and GEORGE BURNS having lunch yesterday at Lindy's (51st St.).

•

HARRY BESSEY, Altec Service Corp. secretary-treasurer, has returned from Boston.

•

DANIEL CLANCY, assistant manager of the Rialto, Butte, Mont., and ANNETTE PADDOCI were married recently.

U. A. Will Have 4 on B'way at Same Time

United Artists will have four pictures playing Broadway simultaneously within the next few weeks.

"That Hamilton Woman" is scheduled to open at the Music Hall early in April. "Topper Returns" opens tomorrow at the Capitol. "Pot o' Gold" at the Roxy and "The Great Dictator" at Loew's State will also open early in April.

Universal's "Lady from Cheyenne," with Loretta Young, is slated to follow "Pot o' Gold" at the Roxy.

Shaftsbury Brint Dies

OTTAWA, March 25.—Shaftsbury Brint, 48, sales manager for Empire Universal Film Co., died suddenly at the Chateau Laurier here. Brint, who had been connected with the company for the past 20 years, was in Ottawa on business.

William Gehring Ill

William C. Gehring, Central division manager for 20th Century-Fox, is at home with a stomach ailment, which is expected to keep him from the office for at least a month.

Alice Faye Sailing East

HOLLYWOOD, March 25.—Alice Faye will leave Thursday on the *S.S. America* for New York, where she is due to arrive April 8.

Newsreel Parade

THE gigantic Grand Coulee Dam in operation, Jimmy Stewart inducted in the Army, various sports and defense subjects and a few comparatively unimportant general news items constitute the coverage matter in the new issues. The contents:

MOVIETONE NEWS, No. [illegible]ew Navy bomber tested. Chicago society women learn to drive ambulances. Virginia cadets in drills. Warship returns to Australia after Mediterannean battles. Greeks parade in New York. Foreign propaganda destroyed at San Francisco post office. Hat fashions. Skiing at Sun Valley. Washington children go fishing. Hockey at Madison Square Garden.

NEWS OF THE DAY, No. 255—Grand Coulee Dam starts. New TVA dam under construction. James Stewart in the Army. Navy planes in San Diego maneuvers. Propaganda burned in San Francisco. Greeks in Fifth Avenue parade. Brazil-U. S. soccer here. California dogs become military mascots. Hockey in New York.

PARAMOUNT NEWS, No. 60—Greeks celebrate independence in New York. Foreign propaganda destroyed. Jimmy Stewart in the Army. Grand Coulee Dam in operation. British benefit show in New York. San Antonio air show and preview of "I Wanted Wings." Mississippi becomes popular with tourists. Brazil and U. S. soccer teams meet in New York. L. I. U. vs. Seton Hall in basketball.

RKO PATHE NEWS, No. 60—Australian warship returns to Sydney. Navy tests new bomber. Foreign propaganda burned in San Francisco. James Stewart in the Army. Young inventors in model plane meet. Troops reviewed at Fort Custer, Michigan. Power turned on at Grand Coulee Dam. Soldiers stage pet show in California. Giant turtle scrubbed at Marineland, Fla. Hockey.

UNIVERSAL NEWSREEL, No. 965—Grand Coulee Dam begins operation. Air show at Randolph Field. New navy bomber tested. Bombers for England completed in Seattle. Model plane show in California. James Stewart in the Army. Blast in Montreal dyeing plant. Propaganda destroyed in San Francisco. Acrobatic family performs in Washington. Doughboys hold mascot show in California. Chicago track meet.

Set Convention Meeting

PITTSBURGH, March 25.—Members of all Variety Club convention committees will meet Sunday in Philadelphia to complete arrangements for the Atlantic City Convention next month. It will be the only general committee meeting prior to the convention, John H. Harris, national president, announced.

MOTION PICTURE DAILY

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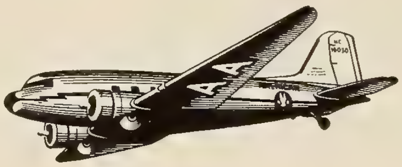

CALIFORNIA

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AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

U. S. Bases Seen British W. I. Boon

Establishment of American defense bases in the British West Indies which, it is estimated, will result in 20,000 to 30,000 service men stationed there permanently, is expected to prove a boon to theatre and film business there, Major Charles H. Tebay, United Artists' manager for Trinidad, said yesterday.

Major Tebay is making his first visit to the company's home office since assuming his post at Trinidad three and one-half years ago. He will be in New York about a month.

Business in the territory, which includes all of the British West Indies and British and Dutch Guiana, has continued at an excellent level since the outbreak of the war, he reported. No military regulations which affect theatre operations adversely have been invoked, although films now are subject to censorship and remittances of Trinidad dollars to New York are limited to 60 per cent of the distributors' revenue in the territory.

American pictures command the major share of playing time in the approximately 50 theatres in the territory and musicals and action pictures are preferred, Major Tebay related. Admission scales range from 12 to 15 cents in the small towns to a top of $1 in the cities.

W.B. Albany Meeting On Bernhard Drive

Albany, March 25.—M. A. Silver, Warner theatres New York zone manager, conducted a meeting of 35 theatre managers and zone departmental heads here today. Joseph Bernhard, general manager of the circuit, and Harry Goldberg, director of advertising and publicity, attended from the home office.

Plans were made for the three-months "Bernhard 10th Anniversary Drive" which will start Easter Saturday.

Among those attending were C. A. Smakwitz and Ralph Crabill, district managers; Max Friedman, zone booker, and James Faughnan and Joseph Weinstein of the Albany office.

Paramount Is Host At an Oyster Party

Paramount played host yesterday at the home office projection room, when, in conjunction with a screening of the short subject, "Pop and Mom in Wild Oysters," Paramount executives and trade paper and newspaper representatives had their fill of oysters, washed down with wine.

Among those present were: Oscar Morgan, Robert M. Gillham, John D. Hertz, Jr., G. B. J. Frawley, Paul Radin, Rudolph Montgelas, David Hopkins, Richard Murray, Alec Moss, Ed Sullivan, Manny Reiner, Sam Shain and Gertrude Merriam.

Funeral for De Vry Will Be Held Today

Chicago, March 25.—Funeral services for Herman A. De Vry, president of De Vry Corp., manufacturer of film sound equipment, who died Sunday of a heart attack, will be held tomorrow at the Lain Chapel. Burial will be at the Rose Hill Cemetery.

Orson Welles Returns to B'way with 'Native Son'

ORSON WELLES, who caused considerable public disturbance with a broadcast of H. G. Wells' "War of the Worlds," and created great consternation in the film industry with a picture called "Citizen Kane," is currently the producer of "Native Son," a black-and-white drama, which was presented for the first time, after extensive rehearsals, at the St. James Theatre on Monday night. The play is a dramatization of Richard Wright's book of the same name.

John Anderson, of the *Journal-American* (Hearst) writes that it is an "uneven play, in 10 scenes with no intermission," and in discussing the chief character in the play, a Negro chauffeur, says:

'Propaganda Nearer Moscow'

"The fact that he is an admitted criminal and as such is treated the same way the law treats members of the red, yellow, and even the white race, is glossed over blithely for the purpose of raising a racial issue and twisting it into propaganda that seems nearer Moscow than Harlem."

Burns Mantle, in the *Daily News*, says the show is "the best, and likewise the most, sensational, of this season's dramas."

Brooks Atkinson, in the *Times*, says "Mr. Wright's long and pulsing novel of a Negro boy's snarling rebellion against a white man's world was vividly subjective in expression. . . . It lacks the stinging enlightenment of the last third of Mr. Wright's novel."

Richard Watts, Jr., in the *Herald Tribune*, says: "Even, if you have not read the book I think you will find 'Native Son' is not always completely comfortable in the theatre. . . . It all goes to indicate that when a story was intended for one medium of expression and was entirely successfuly in employing that medium, it is dangerous to use some other narrative form for which it was not essentially planned."

Says Play Missed Point

Richard Lockridge, in the *Sun*, writes: "Not all of the qualities which made Richard Wright's 'Native Son' so grimly impressive a novel have been retained in the stage version, which Mr. Wright put together with the assistance of Paul Green and which Orson Welles presents at the St. James with effective theatricalism. Now and then last evening it seemed a little, indeed, as if the collaborators had missed their own point and lost their way in the violence of their story.

"In spite of several direct explanations which the authors have interlarded, the play comes close to degenerating into episodes of merely physical violence."

Sidney B. Whipple, in the *World-Telegram*, writes: "'Native Son' is decidedly not a pleasant play nor is it escapist. It is stark melodrama, touched by the hand of genius. . . . It is triumph for Mr. Welles."

John Mason Brown, in the *Post*, says: "No matter how conscientiously you may think Paul Green and Mr. Wright have faced the problem of dramatizing Mr. Wright's novel, or how much you may admire aspects of the physical production which their dramatization has been given at the St. James, it is impossible not to realize that 'Native Son' at its best on the stage is as nothing compared to 'Native Son' at its crudest in book form."

Like Daily Worker

Robert Coleman, in the *Daily Mirror*, (Hearst), writes:

"'Native Son' . . . is a propaganda play by Professor Paul Green and left-winger Richard Wright . . . Those who like the book are likely not to like the play . . . It has three or four melodramatically effective episodes. The others are pedestrian, muddled in logic, often tiresome."

In discussing the chief character of the play, Coleman continues: "Bigger's defense, conducted by a Communist mouthpiece, sounds remarkably like a page from the *Daily Worker* or the *New Masses*."

Louis Kronenberger, in *PM*, writes: "Taken by itself ('Native Son') it is a thoroughly effective piece of theatre. All the same the play lacks the richness and subterraneous power of the book, as well as the essential meaning."

S. S.

Dinah Shore-Cantor Dispute Arbitrated

A breach of contract complaint by Eddie Cantor against Dinah Shore was heard in arbitration proceedings yesterday at American Arbitration Association headquarters.

Miss Shore, who was under contract to Cantor for his radio program, contended at the hearing that the comedian had failed to exercise an option to continue her services, thereby terminating the contract and leaving her free to negotiate elsewhere. At present, it was developed, she is negotiating with Chase & Sanborn.

Cantor contended that the option had been lifted and that the contract is still in force.

A. Edward Moskowitz, attorney: John Moses, artists' agent, and Henry Monroe Campbell, a member of the A.A.A. panel, were the arbitrators. Decision was reserved.

Boren Asks Support For Industry Probe

Washington, March 25.—Denouncing the practices of the film industry, Representative Lyle Boren of Oklahoma today asked the House Rules Committee to approve his resolution for a Congressional investigation.

Congressman Boren told the committee that conditions in the industry are such that an investigation is justified and would develop the need for legislative action. Representative Hamilton Fish of New York suggested that the resolution be amended to provide also for a probe of film war propaganda, to which Boren expressed agreement, commenting that it was a subject which should be studied.

The committee took no action pending additional hearings at which the matter will be further explored.

UA Post for Levey Is Not Considered

United Artists officials stated yesterday that any conversations held with Jules Levey, head of Mayfair Productions, were held some weeks ago, and that the conversations were in regard to a divisional sales post. It was said that the talks never materialized into any formal offer or proposal.

The matter of Levey's possible association with United Artists, therefore, is not now under consideration.

Technicians Favor English Commission

London, March 25.—The Association of Cine Technicians at its annual meeting on April 6 will approve formally the Government's plan for a Films Commission and a Film Credit Bank, contingent upon certain safeguards.

The labor organization is expected to seek representation of trades unions and technical management on the commission, equal representation of employes and employers, constant contact between the commission and the Films Advisory Council and regular reports on the activity of the commission.

It also will ask that the basic capital of the Credit Bank be increased beyond the originally indicated figure, that advances be made only to English producers, and that the technical work on all subsidized productions be checked.

Meanwhile, the Cinematograph Exhibitors Association and the Kinematograph Renters Society will meet in joint session tomorrow to study the possibility of an agreement on trade policy aimed at increasing the available screen time for British product. It is understood the primary purpose of the Board of Trade plan is to institute generally single feature programs, to increase the exhibition chances of quota footage.

It is believed that certain distributors and one major circuit favor the plan. The difficulty pointed out is that the CEA has no authority to dictate the trading policy of its members. It can only pass a resolution in support or advise members, without any assurance of general acceptance.

W.B. Reported Buying Edna Ferber Novel

Warner Bros. have bought "Saratoga Trunk," unpublished novel by Edna Ferber, for $175,000, according to reports yesterday. This was said to be a record price for a novel, the previous high being for Ernest Hemingway's "For Whom the Bell Tolls." Paramount last October paid $110,000 for the Hemingway novel, with a percentage arrangement based on sales of the book which brought the total payment to about $150,000, it is said.

The Warner deal with Miss Ferber provides for a cash payment in full, with a stipulation that the rights will revert to the author after five or six years. Warners are said to be interested in adapting the story as a musical for Broadway production as well.

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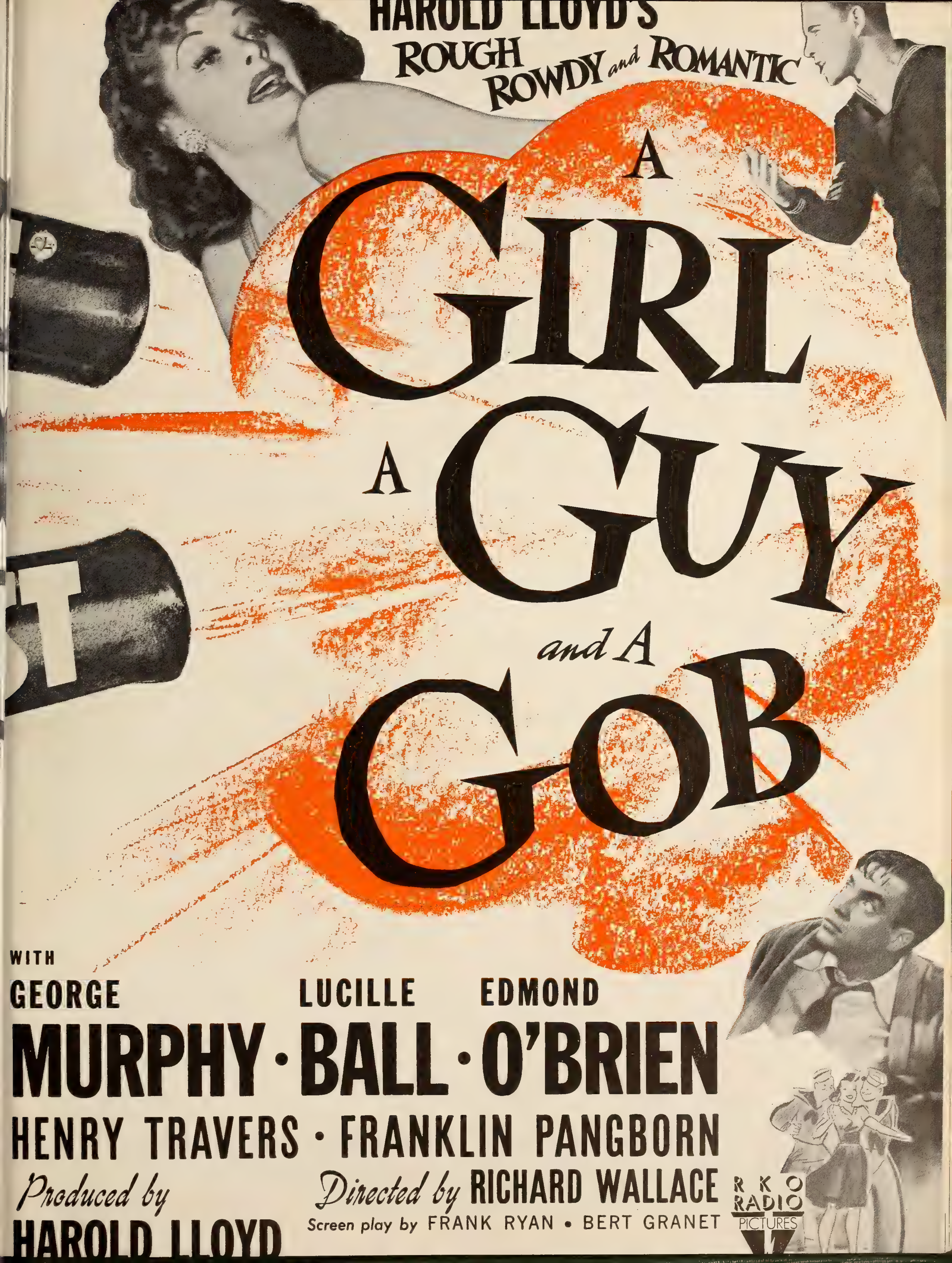


HAROLD LLOYD'S

ROUGH
ROWDY *and* ROMANTIC

A GIRL A GUY *and* A GOB

WITH

GEORGE **MURPHY** · LUCILLE **BALL** · EDMOND **O'BRIEN**

HENRY TRAVERS · FRANKLIN PANGBORN

Produced by
HAROLD LLOYD

Directed by **RICHARD WALLACE**

Screen play by FRANK RYAN • BERT GRANET

R K O
RADIO
PICTURES

U.A. to Have 11 Producers Next Season

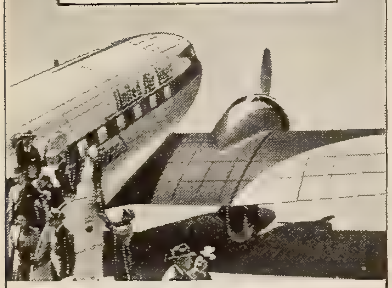
(*Continued from page* 1)

manac reveals that he was director of Cie Internationale de Productions Artistiques, France; managing director, British Cine-Alliance, Ltd., England; founder of Sascha Films A.G. and Sascha Studios, Vienna; was associated with Cine-Allianz Film Co., Berlin; produced the first large scale British sound film, "City of Song," starring Jan Kiepura, in 1930, and later for Gaumont British produced English versions of "Tell Me Tonight," "Unfinished Symphony," and "My Heart Is Calling"; founder of British Cine-Alliance in 1934; founded C.I.P.R.A., Paris, 1937, and produced there "Prison sans Barreaux" and "Conflit," with Corinne Luchaire.

Alexander Korda produced an English version of "Prison sans Barreaux," titled "Prison Without Bars," also starring Corinne Luchaire, which was released by United Artists here.

James Roosevelt to Mexico City April 8

HOLLYWOOD, March 25. — James Roosevelt, producer of "Pot o' Gold," for United Artists release, has advised Mexican officials that he will arrive in Mexico City, April 8. The opening of his film will be held there April 12, in connection with the planned Motion Picture Festival. Also expected to attend are James Stewart and Paulette Goddard, co-stars of the film, and other Hollywood personalities.



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The Overland Flyer. Lv. 11:10 pm with daylight for the scenic western portion of the trip.

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Feature Reviews

"Chinese Den"

(Film Alliance of the U. S.)

ADAPTED from a stage play, this film, produced in England by British Lion, offers sheer melodramatics in a plot structure of emotional potentialities which unfortunately are not realized.

Paul Lukas, in a not wholly convincing attempt to portray a wealthy Chinese of culture and breeding in the rubber-producing country about Singapore, does his best with a role which has little to offer his talents. The others of the cast are unknown in this country, and not more than adequate.

The story concerns the marriage of a dance hall singer to the wealthy Chinese, her inability to find happiness in his sumptuous jungle retreat, and her love affair with a neighboring English planter. Her sister comes for a visit, and complications are resolved with the rescue of the two girls by the brother of the planter, a naval officer.

George King, in direction, attempted to instill as much as possible of the weird into his production. Harold Richman acted as production supervisor. In support of Lukas are Jane Baxter, Kay Walsh, Robert Douglas and Wallace Douglas.

Running time, 73 minutes. "G."* CHARLES S. AARONSON

"Outlaws of the Panhandle"

(Columbia)

TYPICAL in story, cast and production, this yields entertainment exclusively for those who delight when the screen depicts rugged Western heroics, staged without too much regard for plausibility, especially when fights and chases are on view. It has all the action which could be inserted, and then some.

Charles Starrett is the hero, who is intent upon constructing a tunnel for the shipment of cattle. The opposition leader, who smirks continuously, is Norman Willis. Frances Robinson has the female lead.

"The Sons of the Pioneers," a singing group, render a few prairie melodies with some effect.

Running time, 59 minutes. "G."*

**"G" denotes general classification.*

20th-Fox Quarter Profit, Year Loss

(*Continued from page* 1)

year 1940 were particularly burdened by the disturbing effects of the war," Sidney R. Kent, president, declared, "the corporation has, nevertheless, maintained a strong financial position."

The fourth quarter profit compares with a loss of $1,192,824 during the third quarter when $1,400,000 was set aside as reserve. Consolidated net profit for 1939 was $4,146,000 with a profit of $994,218 during the fourth quarter of that year. The profit figures included all wholly owned subsidiaries except Roxy Theatre, Inc.

The report stated that the purpose of the additions to the reserve for foreign assets was to exclude from net income that portion earned during the year in foreign currencies, not currently realizable in U. S. dollars because of restrictions imposed by foreign governments. This unrealized income is represented by foreign current assets, principally cash, and it will be included in the income account at such future time when it may be converted into U. S. dollars or some equivalent, the report stated.

Gross income from sales and rentals of films and accessories was $45,573,943; dividends amounted to $715,515; proportion of profit of controlled company, $87,747; and miscellaneous, $942,306, for a total gross income of $47,319,512. Current assets totaled $53,913,451 on Dec. 28. Production inventories included those released at cost, less amortization, $6,906,825; unreleased, at cost, $4,754,800; and in progress, at cost, $2,218,036. Cash on hand amounted to $7,498,004.

During 1940 net assets in foreign countries increased from $7,088,197 to $10,338,707 because of restrictions. Of the $3,250,510 increase, approximately $450,000 comprised assets which were in the process of conversion to U. S. currency, and the balance of $2,800,000 was therefore added to the reserve. With $450,000 previously in the reserve, the company at the end of 1940 had $3,250,000 as a general reserve against net foreign assets of $10,338,707.

Dividends from National Theatres Corp. were $693,000 compared with $756,000 for 1939. National Theatres and subsidiaries had a consolidated net income of $2,037,177 as compared with $2,311,108 for 1939. Twentieth Century-Fox's 42 per cent interest in National Theatres indicates an interest in 1940 earning of $855,614, the report pointed out.

During 1940 the company paid $1,381,155 in dividends on the basis of $1.50 per share on preferred. No dividend was paid on the common. Outstanding capital on Dec. 28 comprised 917,420 shares of preferred and 1,741,995 of common.

For the year ended Aug. 29, the Roxy Theatre grossed $1,780,820 from admissions and showed a net operating profit of $200,579 before interest and depreciation. The latter items totaled $276,335 to make a net operating loss of $75,756 but the discount on bonds repurchased from the sinking fund brought the net loss for the year down to $42,289.

Speed Urged As Essential In Arbitration

(*Continued from page* 1)

tors. In the matter of costs, it directs them to "incur no new, unusual expense without the explicit cons[illegible] of the parties, by having the fewest [illegible]ssary hearings and refusing frequent adjournments."

Maintenance of the strictest impartiality is urged upon the arbitrators, the manual going so far as to caution them to avoid social contacts with members of the industry and to refuse to accept theatre passes from exhibitors or distributors. Infringement of these regulations, no matter how slight, will result in removal from the panel, the manual warns.

Advised to Refuse Offers

In the same connection, arbitrators are advised that "a scrupulous arbitrator will go further and refuse to benefit from offers made by the successful party to improve his social and financial position, for acceptance of these even subsequently to making the award may be construed as a reward for a favorable decision. Members of the motion picture tribunals must observe these standards not only while they are serving on cases but at all times, lest it be inferred that they are being influenced in advance of their service."

Arbitrators are instructed to adhere to strict impartiality in all official contacts with parties to hearings, to maintain an atmosphere of informality and friendliness at hearings and not to lose their temper, even to lawyers.

Cautioned on Conciliation

Members of the tribunals are cautioned not to initiate conciliation, but are authorized to give what aid they can if parties to a complaint voluntarily and by themselves attempt to reach a settlement.

The manual also counsels the arbitrators on the importance of making their awards explicit, so as to avoid future hearings, and not to divulge their decisions before a hearing has been closed.

The A.A.A. will mail copies of the manual to any member of the industry requesting them.

Arbitrator Hears Washington Case

WASHINGTON, March 25.—The first day of the first arbitration hearing in this area ended late today with a maze of clearance data in the lap of Arbitrator E. Barrett Prettyman. The hearing will be resumed tomorrow.

More than 35 exhibitors and distributor representatives attended today's session, which involved the complaint of Walbrook Amusement Co., Baltimore, against 20th Century-Fox and Vitagraph. The principal witnesses today were Thomas D. Goldberg, president of Walbrook, and Rudolph Berger, M-G-M manager here.

Goldberg emphasized that his theatre compares favorably in programs, receipts and otherwise with the Ambassador, Forrest and Gwynn, Durkee Circuit houses, which, Goldberg alleges, are granted unfair clearance by the two distributors named in his complaint.

Early Report Due On Studio Labor

(*Continued from page* 1)

approval. Oral briefs supporting testimony will be permitted, he said.

About 30 union representatives, studio executives and attorneys attended today's session. Testimony tending to show that set designers did routine work and were not creative artists was given by Ed M. Gilbert, president of the [illegible] Designers Guild. Fred Pelton, producers' labor representative, put on the stand David O. Garber, Universal operations manager, who contended that these workers should go into the professional group.

Differ on Classification

J. P. McGowan, executive secretary of the Screen Directors Guild, sought the classification of second assistant directors as non-professionals. Fred Meyer of 20th Century-Fox said that they, as well as script clerks, were administrative aides and therefore exempt from the wage-hour provisions.

Herbert L. Lamb, Walt Disney production manager, asked for exemption from the law of assistant animators, stating they are creative artists. This was opposed by William Littlejohn of the Screen Cartoonists' union.

Correa Gave Data On Schenck Report

All computations and tables of figures compiled by Lawrence W. Gibney, U. S. Treasury agent, were from figures supplied to him by U. S. Attorney Mathias F. Correa, Gibney admitted yesterday under cross-examination in the trial of Joseph M. Schenck. Gibney, last of the Government witnesses, stated that he had not independently computed the report which he previously read to the jury in which the Government claims proof of the evasion of tax laws.

Schenck contributed $30,500 to organized charities during 1937, according to Gibney. On several items in his report the defendant had overpaid, the witness conceded. Gibney also said that Schenck meticulously kept books on all expenditures and receipts, and that these books were turned over to the Government on its request for scrutiny.

Urge New Jersey Games Regulation

HACKENSACK, N. J., March 25.—A Grand Jury here yesterday in dismissing lottery charges against the Ridgewood Lodge of Elks, which operated chance games, recommended that the state legislature investigate and promulgate rules regulating games in all counties in the state. Recently the game was barred in some counties.

Wis. Senate Kills Daylight Time Bill

MADISON, Wis., March 25.—The Murray bill to provide Daylight Saving Time in Wisconsin, was killed by the State Senate today by a vote of 18 to 13, marking the fourth time this proposal has been defeated in the legislature. Exhibitors again had opposed the bill.

Critics' Quotes . . .

"NICE GIRL?" (Universal)

The plot is slight and feathery, and it is altogether devoid of originality; but it has been attractively staged, and when it threatens to bog down, as it does about every quarter hour, Miss Durbin obliges with a song and everything is all right.—*Gilbert Kanour, Baltimore Evening Sun.*

Miss Durbin has added another box-office success to her long and unbroken list . . . weaker than its predecessors but there is enough pleasing stuff in it to make the young folk happy.—*Norman Clark, Baltimore News Post.*

Summed up, the plot is nothing to get excited about, but since it is well cast and directed it is sure to please.—*Denver Post.*

One of the best E. P. O. pictures it has been our fortune see. E. P. O. meaning, of course, Entertainment Purposes Only.—*James H. Briggs, Denver News.*

"MEET JOHN DOE" (Capra-Warners)

More than just a box-office hit, of course. It represents some of Hollywood's most showmanlike movie-making.—*James Frances Crow, Hollywood Citizen News.*

Capra has made a sentimental film, if you will, but also a wondrously inspiring one. Many a human touch sharpens a scene or a characterization.—*Harrison Carroll, Los Angeles Herald Express.*

It is the type of picture that is going to be popular with all classes, for its appeal is not only to the man on the street, but to the president of the bank as well.—*Louella O. Parsons, Los Angeles Examiner.*

"ANDY HARDY'S PRIVATE SECRETARY" (M-G-M)

The latest entertaining yet rather too lengthy addition to the screen saga of the foremost film family.—*Garrett D. Byrnes, Providence Journal.*

Funny and sentimental and crammed with the sort of juvenile doings which has made this the biggest box-office series to come out of Hollywood.—*Virginia Wright, Los Angeles News.*

Follows the familiar formula with gay variations. As delightful, if not more so than its popular predecessors.—*Mildred Martin, Philadelphia Inquirer.*

A sturdy little item of film entertainment. Full of human interest, schoolboy humor and youthful charm, it contains a surprise package in the form (a lovely one at that) of Kathryn Grayson.—*Kate Cameron, New York Daily News.*

Likeable, down-to-earth entertainment.—*Rose Pelswick, New York Journal American.*

"RAGE IN HEAVEN" (M-G-M)

Almost, if not entirely, as satisfying as "Night Must Fall." . . . your interest won't lag for a second.—*Luvie Pearson, Washington Times-Herald.*

It is almost a good picture. From minute to minute it actually threatens to become one. It never quite makes it despite a pretty ministering angel as Ingrid Bergman.—*Jay Carmody, Washington Star.*

A psychological study so deftly turned in the direction of interesting and suspenseful entertainment that its clinical aspects become purely secondary to the infallible dramatic situation that requires the last-minute rescue of an innocent man from the gallows.—*Norman B. Bell, Washington Post.*

It lacks the subtlety and the neatly sustained uncertainty of "Night Must Fall."—*Don Craig, Washington News*

"ADAM HAD FOUR SONS" (Columbia)

A cozy, touching drama. . . . It will probably have more appeal for the older fry but it is pleasant entertainment at any age.—*Luvie Pearson, Washington Times-Herald.*

Not too grim or tragic, but it does deal with family problems that are a bit too terse in their implications and tense in the manner of their solution.—*Norman B. Bell, Washington Post.*

A successful and frequently touching study of family life.—*Virginia Wright, Los Angeles News.*

"FLIGHT FROM DESTINY" (Warners)

Minus an outstanding star, it offers many fine actors doing an excellent job of make-believing—*Harry Bortnick, Philadelphia Daily News.*

We've admired Thomas Mitchell in more films than can be counted on the fingers of both hands, so this time maybe he'll forgive us for pointing dis approvingly at his performance, which is nearly as overblown and silly as the script.—*Mildred Martin, Philadelphia Inquirer.*

"FOOTSTEPS IN THE DARK" (Warners)

The photoplay won't set the movie world on fire, and on the other hand, it should prove to be agreeable entertainment.—*Garrett D. Byrnes, Providence Journal.*

No world beater, but it is all right.—*James Francis Crow, Hollywood Citizen News.*

Warners seldom miss with these action pictures and this is no exception.—*Dorothy Manners, Los Angeles Examiner.*

"THE LADY EVE" (Paramount)

It's the sort of film that makes movie-going a joy and a treat . . . it is lively, saucy, impish, fresh and sparkling . . . directed with imagination and invention . . . acted to perfection.—*William Boehnel, New York World Telegram.*

Even though "The Lady Eve" strains your credulity to the breaking point, it's a good picture to be shown now for it's funny and never was there a time when laughs were more needed.—*Louella O. Parsons, Los Angeles Times.*

'Tobacco' in Chicago Gets Big $42,000

CHICAGO, March 25. — "Tobacco Road," which was banned in Chicago as a stage play, plus Lawrence Welk and Orchestra on the stage grossed $42,000 at the Chicago Theatre. George Jessel headlining the stage show at the State-Lake and "Dr. Kildare's Crisis" on the screen brought in $19,000.

Estimated receipts for the week ending March 21:

"Fantasia" (Disney)
APOLLO—(1,400), (75c-$1.10-$1.65) 7 days, 4th week. Gross: $10,000. (Average: $6,500)

"Tobacco Road" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Lawrence Welk Orchestra. Gross: $42,000. (Average: $32,000)

"Strawberry Blonde" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $6,000. (Average: $5,000)

"Roadshow" (U. A.)
ORIENTAL — (3,200) (25c-40c) 7 days. Stage: Variety Unit. Gross: $14,000. (Average: $13,000).

"Mr. and Mrs. Smith" (RKO) 7 days.
"Scattergood Baines" (RKO) 4 days.
"Vivacious Lady" (RKO) (Re-Issue) 3 days.
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $14,000. (Average, $13,000)

"Gone with the Wind" (M-G-M)
ROOSEVELT — (1,500) (35c-55c-75c) 3rd week. Gross: $14,000. (Average, $11,000)

"Dr. Kildare's Crisis" (M-G-M)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: George Jessel and show. Gross: $19,000. (Average, $15,000)

"Come Live with Me" (M-G-M) 4 days.
"Cheers for Miss Bishop" (U. A.) 3 days.
UNITED ARTISTS—(1,700) (35c-55c-75c) Gross: $12,000. (Average, $14,000)

United Amusement's 1940 Profit $98,788

MONTREAL, March 25.—United Amusement Corp., Ltd., reports 1940 net profit, after all charges and taxes, of $98,788, equivalent to $1.16 per share on 80,829 outstanding no-par-value shares.

This is a decrease of only $852 as compared with the net profit for 1939, which amounted to $99,640 or $1.17 per share. Gross operating profit and other income showed an increase in 1940, amounting to $673,093 against $617,791 in 1939.

Court Authorizes Study of 'U' Data

(*Continued from page* 1)

it allegedly refused to negotiate, including locations and film seasons involved. Also sought are all inter-office memoranda, correspondence and other communications between Universal and other distributors, and with the Schine companies. Documents pertaining to the granting of clearance in the Schine areas also are sought.

Delivery of the records, according to the court order, is to be agreed upon between Universal and the Government.

Ascot Opens Tomorrow

The Ascot Theatre, at Grand Concourse and 183rd St., Bronx, will reopen tomorrow evening. Leonard E. Sampson, formerly of the Fifth Avenue Playhouse, will manage the house. "Hotel Du Nord" will be the opening attraction.

F.C.C. Renews Most Domestic Air Licenses

WASHINGTON, March 25.—The FCC today renewed the great majority of domestic broadcasting licenses, which are due to expire March 29, but granted only temporary authority to some 50 stations which failed to submit required performance data.

The commission also announced a setup under which the licenses of stations will be staggered, so that expirations and renewals will be uniform for all stations on a given frequency. The various frequencies were grouped and each group will have a different expiration date, ranging from next Aug. 1 to June 1, 1942.

The purpose of the grouping and staggered license expiration dates is to restore the system which was in effect before the Havana Treaty complicated matters by requiring simultaneous changes of frequency at 3 A.M. on March 29.

In order to maintain complete control and to compel uniform observance of the moving date, the FCC when it renewed licenses stipulated that they should expire on March 29.

Mayor Proclaims 'Moving Day'

PITTSBURGH, March 25. — Mayor Cornelius D. Scully has issued an official proclamation calling attention to "Radio Moving Day." Five stations here will change frequency Saturday.

Seeks Permission For Elmira Station

WASHINGTON, March 25.—The Central New York Broadcasting Corp. has filed an application with the Federal Communications Commission for a construction permit for a new 1,230-kilocycle, 250-watt station at Elmira, N. Y., to be built in the event that Station WENY, now on that frequency, shifts to 590 kilocycles.

Tidewater Broadcasting Corp. has filed a new application for a 1,490-kilocycle, 250-watt station at Norfolk, Va., and requests also have been received from Stations WBZA, Springfield, Mass., for change of frequency from 990 to 940 kilocycles and increase of power from 1,000 to 5,000 watts, and KWOC, Poplar Bluff, Mo., for change of frequency from 1,310 to 1,290 kilocycles and increase of power from 250 to 1,000 watts.

Greek Benefit in Helena

HELENA, Mont., March 25.—A midnight show will be held at the Marlow here on Saturday, for the benefit of the Greek War Relief.

WHN to Broadcast Greek War Benefit

Through the courtesy of I. J. Fox, WHN will carry the Greek War Relief show from Radio City Music Hall Friday night. The program will be heard on the air from 1 to 3 A.M.

Off the Antenna

"AMOS 'N' ANDY," who completed their 13th year of broadcasting last Wednesday got another year's renewal yesterday from their current sponsor, Campbell Soup Co., for their CBS series. At the same time, Campbell renewed three other Monday through Friday shows over CBS. They are Lanny Ross, 7:15-7:30 P.M. over 58 stations; Martha Webster, 11:15-11:30 A.M. over 58 stations, and Fletcher Wiley, 2:30-2:45 P.M. over 36 stations.

• • •

Purely Personal: *Bert Silen, manager of KZRH and KZRC, Manila, P. I., has been named Philippine correspondent for NBC. . . . Francia White, soprano on the "Telephone Hour" has had her contract renewed for a second year. . . . Walter Compton, conductor of "Double or Nothing" is the father of a son, John William.*

• • •

Waite Hoyt, former big league pitcher, will return to WOR this season. Hoyt speaks from the time the Brooklyn Dodgers play-by-play broadcast ends until the beginning of the next quarter hour. The time therefore varies from two minutes one day to 14 the next, on occasion.

• • •

Program News: Seeman Bros. has signed for five weeks of temperature reports, 21 times weekly, over WQRX. . . . Johannes Steel, commentator, will get a third spot on WOR beginning April 12 when Blackstone Products will sponsor him in a Saturday period 10-10:15 P.M.

• • •

Film Players on the Air: *Wallace Beery, Mickey Rooney, Noah Beery and Fay Wray will be heard on "Lux Radio Theatre" over CBS Monday. . . . Joe E. Brown will be guest of Rudy Vallee and John Barrymore on NBC-Red Thursday, April 3. . . . Orson Welles will be heard on "Silver Theatre" over CBS Sunday. . . . Jack Oakie will be Charlie McCarthy's guest on NBC-Red Sunday. . . . The "Screen Guild Theatre" over CBS Sunday will feature Rosalind Russell and Cary Grant in "His Girl Friday."*

Composer May Sell Copyright Renewal

A composer may sell the copyright renewal rights to his musical composition prior to the expiration of its 27-year period, Federal Judge Edward A. Conger ruled yesterday in issuing a temporary injunction against Fred Fisher Music Co. and George Graff, restraining them from selling copies of "When Irish Eyes Are Smiling."

The suit was brought by M. Witmark & Sons, on the ground that Graff had assigned the renewal rights to it in 1917 and that the company already had received an assignment from the widow of Chauncey Olcott, composer of the lyrics.

Fisher Music Co. had received its rights from Graff in 1939 and contended that the Federal copyright laws prohibited Graff from making a valid assignment until the 28th year after the first issuance of a copyright.

The court, in pointing out that the question had never been squarely decided previously, stated that Graff's assignment would not have been valid if he had died before expiration of the original copyright. In that event Judge Conger said the rights to renew would have vested in Graff's widow or children.

F M Broadcasters To Discuss Problems

Broadcasters and others interested in FM will meet at the Hotel Roosevelt next Wednesday morning to discuss problems which have developed under recent FCC orders. The meeting will be under the auspices of FM Broadcasters, Inc. Following the morning session, the annual meeting of the FM Broadcasters will be held at the same place.

Child Player Bill in New York Amended

ALBANY, March 25.—Assemblyman Harold Ehrlich will amend his child performance bill to take out the one-hour-per-week amateur program radio exemption now granted. The change will put radio on the same terms as theatres in the measure, giving educators the right to grant permission for radio appearances.

Senator Perry's radio recording bill to curb unauthorized use of broadcasts without permission of artists, was recommitted by the sponsor with the enacting clause taken out. However, a new recording bill is due this week. The Burrows anti-discrimination bill has been delayed again for one day. It is expected to be voted on tomorrow.

Fight Reports Office As Censor Source

WASHINGTON, March 25.—Republican members of the House today opposed the proposed $1,500,000 appropriation for support of the Office of Government Reports, charging it was a perfect setup for propaganda and censorship. The office issues many industrial reports, including those on the film business.

They charged that the office can be used to ordain what may be published regarding Government affairs and, in part, the international situation, and contended that it supplies members of Congress and Administration officials with material for various campaigns designed to mold public opinion.

Canadian Circuit Net Off

TORONTO, March 25. — Hamilton United Theatres, Ltd., has reported 1940 operating profit of $78,435, compared with $73,921 in 1939, but net profit declined to $35,637 from $48,196.

Theatre Changes

Baltimore Staff Changes

BALTIMORE, March 25.—Baltimore theatre staff changes include the following: Walter Cohen, former manager of the Leader, transferred to the Rialto; Thomas Luby, former assistant at the Broadway, now manager of the Leader; Irving Martin, former publicist at the Stanley, named assistant manager, replacing Norris Nelson, resigned; Wilbert Brizendine, former Rialto manager, now manager of the Linden.

Manages Canadian House

TORONTO, March 25.—Eugene LeBlanc has been named manager of the Cartier Theatre, Timmins, Ont., which has been acquired by Hanson Theatres Corp., Toronto, from Rousson-Trudeau Cinemas, Ltd. The Cartier is under the supervision of Frank Colameco, who supervises the Palace, Goldfields and New Empire at Timmins.

Friedman Plans Two

TORONTO, March 25.—Harry Friedman, owner of the Rialto, Edmonton, Alberta, plans two theatres in Edmonton. Eight theatres are in operation at Edmonton, five of them operated by Famous Players Canadian Corp.

Open Pittsburgh Theatre

PITTSBURGH, March 25.—Operated by Warner in partnership with independent exhibitors Morris Finkel and Alex Moore as the Hilltop Amusement Co., the Shadyside Theatre has opened, with Jack Blatnick as manager.

To Take Drive-In Theatre

COLUMBUS, Ohio, March 25.—Articles of incorporation have been filed for the Riverside Auto Drive-In Theatre, Inc., which will take over operation of the drive-in theatre at suburban Dublin, opened early last year. Incorporators are Frank Yassenoff, H. W. Beck, James F. Hardgrove and Joseph L. Eisenberg.

Goldberg Plans New House

OMAHA, March 25.—Ralph D. Goldberg plans a new theatre here. It will seat 950 and will be the central unit for an amusement center, he said. Work will start early next fall.

Takes Missouri House

KANSAS CITY, Mo., March 25.—A J. Simmons will take over the Plaza at Lamarr, Mo., from George Hartman, effective next month.

Opens New Iowa House

NEWTON, Ia., March 25.—Robert M. Johnson, operator of the Iowa Theatre, has opened a new 300-seat house here, named the State.

Williams Rites Today

Funeral services will be held today at the Cooke Funeral Home, the Bronx, for John D. Williams, former stage director and producer, who died of a heart attack Saturday night at the home of his sister, Miss Hattie Williams. An only brother also survives. Williams was associated with Charles Frohman and A. L. Erlanger in stage production.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

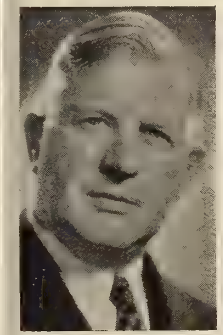
First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 60 NEW YORK, U. S. A., THURSDAY, MARCH 27, 1941 TEN CENTS

20th-Fox Sets 1941-'42 Total Of About 50

Sales Plans Await Kent Return, Says Wobber

Twentieth Century-Fox plans a production schedule of about 50 features for the 1941-'42 season, Herman Wobber, general sales manager, stated yesterday following his return from a Coast trip with stopovers at a number of key cities.


Herman Wobber

Plans for the new production schedule and for the new season's selling will be completed on the return to the home office of Sidney R. Kent, president, in about a week, Wobber said.

Meanwhile, Wobber said, it has not been decided whether the company will hold a sales convention this year, or whether it will be necessary to put

(*Continued on page* 5)

British Blame Gov't For Industry Crisis

London, March 26.—Declaring that the present serious situation facing the British industry is entirely the fault of the British Government, as a result of its trade policies, the industry here declared that the Board of Trade suggestion that trade policies be revised would not change the situation.

The Cinematograph Exhibitors Association and the Kinematograph Renters Society held a joint discussion on the Government's recent suggestion for alteration in trade practices, to formulate a trade reply. The trade will advise the Board of Trade that the only solution to the present situation is more British films.

That, the board will be told, is only possible if the Government will free from war service the necessary technical personnel, and provide adequate studio space and production facilities.

The Government alone is able to provide the solution to the problem, in the view of the trade. Resentment was expressed at what was described as the Government's "passing the buck" to the trade.

Sydney K. Lewis, president of the

(*Continued on page* 5)

Electricity Shortage Is Faced in Mexico

Mexico City, March 26.—The shortage of electric current here which has prompted the Government to take drastic measures for power conservation, has at last affected the theatres. The new Cine Estrella cannot be opened as the light and power company is unable to give it service.

Brilliant Audience At 'Wings' Opening

"I Wanted Wings" is reviewed on Page 4.

With floodlights lighting up Times Square, an Army band playing at Father Duffy's memorial and amid a military atmosphere, Paramount's "I Wanted Wings," was given its Broadway premiere last night at the Astor Theatre before one of the most brilliant audiences of the season comprising important U. S. Army and Navy officials, dignitaries from Washington, society and industry personalities. The picture starts on its regular two-a-day

Barney Balaban

(*Continued on page* 4)

First Arbitration Hearings in N.Y. Set for April 3, 8

The first hearings of New York arbitration complaints will be held at the American Arbitration Association headquarters here on April 3 and April 8.

The first local case will be that of the Esquire Theatre, Great Neck, L. I., involving a clearance complaint against all five consenting companies. On April 8 a hearing will be held on the clearance complaint of the Hilary Theatre Corp., Brooklyn, against all five consenting companies.

The sixth arbitration demand in the New York area was filed with the local board here yesterday by Joseph Siccardi, operator of the Liberty, Plainfield, N. J., against Warners, 20th Century-Fox, RKO and Paramount on clearance. The complaint names Walter Reade's Paramount, Strand and Oxford at Plainfield, and asks that their 30-day clearance over the Liberty be reduced to seven days

(*Continued on page* 5)

Secretary Perkins At Coast Hearing

Los Angeles, March 26.—Secretary of Labor Frances Perkins today visited the hearing on motion picture classifications under the Wage-Hour Act and congratulated both union and producer representatives on the progress made.

In California on an inspection of other industries, Secretary Perkins was introduced by Examiner Merle Vincent. The entire hearing today was devoted to IATSE protests on

(*Continued on page* 5)

Hersholt Attacks Parsons Show as Relief Fund Blow

Hollywood, March 26.—The Motion Picture Relief Fund today unleashed an attack on Louella O. Parsons, the columnist, for her radio program on behalf of Lifebuoy Soap which starts Friday on CBS. Jean Hersholt, Fund president, declared that the Fund is in danger of losing the $10,000 weekly income which it derives from the "Screen Guild Theatre" program over the same network on behalf of Gulf Oil.

Miss Parsons' show will contain a dramatization of a film about to be released, with the picture's stars playing their roles on the air, and the talent offering its services free or at the minimum rates of the American Federation of Radio Artists.

In a letter to Edward Arnold, president of Screen Actors Guild, a copy of which was sent to Y. Frank Freeman, president of the Association of Motion Picture Producers, Hersholt declared that "we believe that every actor who consents to appear on any free talent show, that every producer who consents to having contract actors appear on such shows is crippling the M.P.R.F. Does SAG intend to enforce its rule against free talent shows?"

Hersholt continued: "A show of the

(*Continued on page* 5)

Para. to Offer 38 to 40 Films Next Season

Also 85 One-Reel Films In Shorts Lineup

By SHERWIN A. KANE

Paramount will produce 38 to 40 features next season, or approximately the same number scheduled for production this season, Y. Frank Freeman, vice-president and studio head, said yesterday.

Frank Freeman

Neil Agnew, vice-president and chief of sales, disclosed yesterday that Paramount has scheduled a new season short subjects lineup of 85 single reel films, a two-reel color cartoon and 104 issues of the newsreel.

Six Harry Sherman productions will supplement the feature schedule again next year.

Freeman said the studio would endeavor to complete 15 new season productions between now and Sept. 15, with the first block of five features to be ready by July 15 and the second and third blocks on Aug. 15 and Sept. 15, respectively. Three productions for the first block of five are nearing completion now, he said.

Neil Agnew

This production pace would be slowed down somewhat after Sept. 15, with subsequent blocks being offered six weeks instead of one month apart.

Freeman said that the studio organi-

(*Continued on page* 4)

Suit Developments

Developments in the Government's anti-trust suits against the Schine Circuit and the Little Three at Buffalo and against Crescent Amusement Co. and the Little Three at Nashville, on Page 5.

Coast Flashes

Hollywood, March 26

J. ROBERT RUBIN, vice-president and general counsel of Loew's, Inc., today started a week of conferences with Louis B. Mayer, production chief, and E. J. Mannix on the Spring production program.

•

Sam Wood has formed his own production company and today signed a deal with George J. Schaefer, president of RKO, to release through that company one or more films a year for the next three years. This will not, however, prevent Wood from working for other studios.

•

Orson Welles arrived today from New York. He is expected to confer with George J. Schaefer, RKO head, on the fate of "Citizen Kane" as well as that of a Mexican picture planned by Welles.

•

Clark Gable and Lana Turner were set today by M-G-M to co-star in "Honky Tonk," story of the Yukon, which Pandro S. Berman will produce and Jack Conway direct.

•

T. Keith Glennan, Paramount studio manager for the last two years, resigned today. He was with the studio six years.

•

Mr. and Mrs. Darryl F. Zanuck left tonight to spend a week at Sun Valley.

•

George Batcheller and Sig Neufeld, Producers Releasing Corp. executives, return tomorrow from the company's Chicago sales convention.

Beattie Is Honored At Scranton Dinner

SCRANTON, PA, March 26.—More than 200 exhibitors, salesmen and exchange officials honored George Beattie, new Paramount Philadelphia sales manager, at a testimonial dinner at the Hotel Jermyn here last night. Beattie was presented a desk set in honor of his promotion. The affair was sponsored by the Motion Picture Associates of Philadelphia.

John Nolan, Comerford film buyer, was chairman of the affair and J. J. O'Leary, Comerford general manager, honorary chairman. Toastmaster was Jay Emanuel of Philadelphia. Michael Eagen, district attorney of Lackawanna County, was principal speaker. Other speakers included Mayor Fred J. Huester of Scranton; Con McCole, Wilkes-Barre, Pa., humorist; William Karrer, president of the M.P.A. of Philadelphia and Paul Baron, Boston branch manager of Universal. Eagen's speech was broadcast over Station WGBI.

Marshall Joins RCAF

OTTAWA, March 26.—Robert Marshall, Hollywood player, has arrived here to enlist in the Royal Canadian Air Force. He is 29 years old.

EXECUTIVE SECRETARY

Ten years with famous producer. Capable relieving busy executive of details.

Box 200, Motion Picture Daily

Personal Mention

DR. A. H. GIANNINI left the Coast last night for New York and is due here Saturday.

•

T. J. CONNORS, Eastern, Southern and Canadian sales manager for M-G-M, has returned from a business trip to Florida.

•

HADLEY HULL, Universal branch manager in Indianapolis, is back from Florida.

•

STANLEY HAND, Altec staff representative, has returned from a trip.

•

JAMES GAVIN of the Comerford Theatres home office in Scranton has been drafted.

•

FLORENCE WIGTON, operator of the Wigton, Lagrange, Ind., is recovering from an operation.

•

LOU LEVY left yesterday for Hollywood.

•

PAUL BENJAMIN, JAMES SMITH, DOUGLAS ROTHACKER, LOU POLLOCK, DWIGHT WIMAN, WILLIAM FITELSON and JACK MILLS having lunch at the Tavern yesterday.

EDWARD M. SAUNDERS, M-G-M Western division manager, is confined to his home by illness.

•

W. F. RODGERS, M-G-M general sales manager, returned to New York yesterday from a Southern vacation. EDDIE AARON, assistant to RODGERS, left yesterday for a vacation.

•

MAX A. COHEN, WALTER GOULD and AL MARGOLIES at Lindy's (next to the Rivoli) yesterday for lunch.

•

SAM RINZLER, HARRY GOLD, ARTHUR HOPKINS, WILLIAM COLLIER, JR., TOM CONNORS and OWEN DAVIS lunching at Nick's Hunting Room in the Astor yesterday.

•

PIETOR A. MAGUZZO, operator of a circuit in eastern Pennsylvania, and LAURA MAE SHULTZ were married recently in Miami.

•

BERNARD BRANDT, HAL HORNE, PORTLAND HOFFA, MARTIN MOSKOWITZ and KENNY BAKER having lunch yesterday at Lindy's (51st St.).

•

LOUIS CIMINO of the Rialto, Scranton, Pa., is the father of a son.

Times Square Show To Aid Greek Drive

Under the sponsorship of the Amusement Industry Division of the Greek War Relief, Harry Brandt, ITOA president and co-chairman of the drive, will stage an open-air show in Times Square at 1 P. M., today, tomorrow and Saturday.

A stage will be erected at 46th Street, on which stage, screen and radio players will appear. Girls will solicit contributions. Susan Hayward has been added to the large group of stars who will appear at the Greek Festival for Freedom to be held at the Radio City Music Hall tomorrow at midnight.

Blumberg, Seidelman Off to Panama Today

Nate J. Blumberg, Universal president, and J. H. Seidelman, vice-president and foreign manager, will sail for Panama on the *Cristobal* today to attend the meeting there of the company's Latin American sales representatives, April 2 to 6.

C. C. Margon, Latin American supervisor for Universal, and Fortunat Baronat, foreign publicity manager, will leave for Panama by plane later to attend the meeting.

Exclude 16 mm. Film In Conn. Measure

HARTFORD, Conn., March 26.—The Judiciary Committee of the Connecticut House has favorably reported an amendment to the General Statutes regarding operation of projection machines, which would exclude from certain restrictions machines using only cellulose acetate film not more than 16mm. wide, except when used in places of entertainment where an admission is charged regularly.

Only 2 Theatre Bills In R. I. Legislature

PROVIDENCE. March 26.—No further legislation affecting show business is anticipated here this year, the General Assembly having passed the last day on which new measures may be introduced. In committee files awaiting action are two bills bearing on theatres.

In the Senate is a bill introduced by Benjamin Cianciarulo permitting local licensing authorities to authorize presentation of legitimate stage shows on Sunday. The House has before it an amendment to the State fire laws to require all "institutional buildings," public or private, designed for the use of 25 or more persons to be connected with the fire alarm system of the respective community.

U.A. May Release English Film Here

LONDON, ENG., March 26.—"Sailors Three," produced by Ealing Studios, Ltd., and distributed in this country by Associated British Film Distributors, Ltd., may be distributed in the United States by United Artists as a feature on that company's 1941-'42 program, it was learned here today.

The feature, which stars Tommy Trinder and Claude Hulbert, was reviewed from here by *Motion Picture Herald* on Oct. 26, 1940.

Mullin Is Elected by Boston Variety Club

BOSTON, March 26.—M. J. Mullin, head of M & P Theatres, has been elected chief barker of the recently formed local Variety Club. Other officers are: Albert M. Kane, assistant chief barker; Ted Fleicher, second assistant chief barker; Harold E. Stoneham, dough guy, and William H. Erbb, property master.

'Kipps' Is Called Brilliant Picture

London, Eng., March 26.—"Kipps," 20th Century-Fox film produced here, previewed today, is an eminently successful, brilliantly directed period piece which should enjoy box-office success on both sides of the Atlantic.

A notable characterization by Michael Redgrave and the work of a fine supporting cast highlight the film, whi[illegible] is faithfully set in the atm[illegible]phere of Edwardian England. The absence of any sordidness and war material and the graphic British flavor are notable.

Flanagan

Durland PCA Aide On Latin America

Addison Durland, chief of the Spanish section of the NBC short wave division, has been named a member of the M.P.P.D.A. Production Code Administration staff in Hollywood as advisor on Latin-American affairs, it was announced yesterday. Durland will report April 14.

Will H. Hays, M.P.P.D.A. president, said the appointment "is another step in the motion picture industry's cooperation in the current efforts to promote hemispheric solidarity." Durland, who is 38, has had experience in both newspaper and radio fields. He was formerly director of the New York office of the Cuban Tourist Commission, associate editor of the Latin-American Wireless Service for the New York *Herald Tribune* and was editor of a literary magazine in Cuba before joining NBC in 1937.

GN 16mm. Shorts to Be Sold on May 5

Sale of all 16mm. and sub-standard non-theatrical rights on all shorts in the possession of Grand National Pictures, Inc., and Educational Films Corp. of America yesterday was ordered for May 5 by Referee Peter B. Olney, Jr. The sale of the films is part of a proceeding to liquidate the companies' assets as ordered in bankruptcy proceedings in U. S. District Court.

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OR

EASTER

The Great

BETTE DAVIS

in

"*The Great* LIE"

and

GEO. BRENT

MARY ASTOR

LUCILE WATSON • HATTIE McDANIEL

Screen Play by Lenore Coffee • From a Novel by Polan Banks

Music by Max Steiner

EDMUND GOULDING is Director

FROM

WARNER

Para. to Offer 38 to 40 Films Next Season

(*Continued from page* 1)

zation is in shape now for its operations under the industry consent decree, and that no further changes of importance are in view. He described the financial problem involved in the tieing up of large investments in production inventories of unreleased pictures between now and September, as the most vital one remaining in the change-over to decree operations, but gave no indication that Paramount is not prepared to meet it.

The Paramount studio head will leave today for Hot Springs, Va., to attend the meeting there of the company's theatre associates. He will be accompanied by Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee. He will return to New York on Monday and plans to leave for the Coast that night. Griffis may accompany him to the studio.

Three New Series In Shorts Lineup

The short subjects lineup, which will be sold under the supervision of Oscar A. Morgan, head of the department, includes three new series consisting of 12 "Superman" cartoons in color, six "Quiz Kids" films and six releases of "Hedda Hopper's Hollywood." The "Superman" cartoons will be made by the Max Fleischer studio in Miami along with 12 "Popeye" cartoons and the two-reel color cartoon.

In addition, there will be six "Madcap Models" Puppetoons in color from George Pal; four Robert Benchley comedies; six issues each of "Popular Science" and "Unusual Occupations" in color, from Jerry Fairbanks and Bob Carlisle; six "Speaking of Animals" novelties, largely by the same pair; six Paramount "Headliners"; six Grantland Rice "Sportlights," and two "Fascinating Journeys" in color, produced by Count and Countess von Keller.

The short subject and newsreel department will be host to the 11 Paramount district managers at a luncheon at the Waldorf-Astoria here today. The managers are: W. H. Erbb, Boston; M. S. Kusell, New York; H. H. Goldstein, Cleveland; E. S. Sweigert, Philadelphia; Allan Usher, Chicago; R. C. LiBeau, Kansas City; M. A. Brown, Denver; H. W. Braly, Los Angeles; H. Owen, Dallas; J. F. Kirby, Atlanta, and Del Goodman, Toronto.

Officials to Attend

Home office officials who will attend include Adolph Zukor, Neil Agnew, Oscar Morgan, Robert Gillham, C. M. Reagan, G. A. Smith, C. J. Scollard, G. B. J. Frawley, F. A. Leroy, H. J. Lorber, A. J. Dunne, J. Phillipson, Monroe Goodman, Hiller Innes, Richard Murray, Leslie Roush and Manny Reiner.

Also, A. J. Richard, Bill Park and Merle Johnson of Paramount News; Jack Eaton, Grantland Rice, Ted Husing, Harry Donenfeld, Robert Maxwell, J. S. Liebowitz, Whit Ellsworth, Allen Ducovony, Sterling Pile and Robert Benchley.

Decree Among Topics At Para. Meet in Va.

The consent decree and operations under it, the functioning of the industry arbitration system and problems concerning clearance in various territories are among the subjects to be discussed by Paramount home office and theatre executives from all parts of the country at their three-day meeting which opens today at Hot Springs, Va.

Current and new season's product and general operating plans and ideas also are scheduled for discussion.

Feature Review

"I Wanted Wings"

(Paramount)

IN "I Wanted Wings" Paramount offers a showmanship natural of the highest order, so keenly attuned in theme to the public pulse of the moment as to give it exploitation potentialities of unlimited scope, and providing at the same time entertainment value of smash proportions. Both these vital factors should result in top returns at the box office, in any theatre in the country.

Woven about the training of fliers for the U. S. Army Air Corps, and carrying that stamp of authenticity made possible by actual production at Randolph, Kelly and March Fields, and the active cooperation of the U. S. Army Air Crops, the picture reaches its greatest heights of audience interest and compelling action in the scenes in the air. They are handled with photographic skill and technical perfection, providing the film with a tremendous audience pulling power.

If the leading players are not now top ranking stars for marquee purposes, they will be when this film is generally released. The work of Ray Milland, William Holden and Wayne Morris, the three flying cadets who represent a cross-section of cadet manpower in their backgrounds; Brian Donlevy, their instructor; Constance Moore, the romantic lead, and Veronica Lake, who supplies the vampire motivation for the tense dramatic complications, is of the finest.

Directed by Mitchell Leisen, with Arthur Hornblow, Jr., as producer, from the book "I Wanted Wings," by Beirne Lay, Jr., the film's unrelenting pace and crackling air episodes, despite unusual length, are a tribute to a fine job of direction and a strong script.

Milland, Holden and Morris, respectively, are the son of wealth, the mechanic with an urge to fly and the not too bright football star who is a natural flier. Miss Moore, photographer on assignment at Randolph Field, carries the romance with Milland, and Miss Lake, former fiancee of Holden, and after Milland's money, serves to mar Milland's romance, and provide dramatic interludes of high value to the effectiveness of the story.

The story opens with dynamic impact, as Los Angeles is blacked out and in night maneuvers, a huge flight of flying fortresses approaches the city for an "attack," and is met by humming pursuit squadrons. A report comes in of a returning bomber crashed, and as a court martial opens to set the responsibility, the story is told in flashback, returning later to the exoneration of Milland and the completion of his romance, following the death in the bomber crash of Miss Lake, a fugitive and stowaway.

Highlights in the air are the "attack" on Los Angeles; the training and instruction of the cadets at Randolph and Kelly Fields; the "hedge-hopping" stunts of the three fliers which result in the death of Morris in a crash and the consequent elimination of Holden, in charge of the flight; the landing of a plane by Holden, with a dead motor, in a small field, a training crash on the field, with fire and a rescue, and the thrilling crash of the gigantic bomber, preceded by a breath-taking air rescue by parachute of Donlevy, dangling from the plane, by Holden.

Running time, 134 minutes. "G." * CHARLES S. AARONSON

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* *"G" denotes general classification.*

N. Y. Discrimination Measure Amended

ALBANY, March 26.—Assemblyman Burrows today amended his anti-discrimination bill when the measure came up for a vote in the New York State Assembly. The bill will receive final vote next Monday night.

The amendment makes the measure more acceptable to exhibitors, since it limits chances of discrimination charges by the inclusion of the phrase, "on account of race, color or creed." Thus charges of discrimination by undesirables such as those whose conduct constitutes a breach of the peace are eliminated.

Cummings Returns West

HELENA, Mont., March 26.—Hugh Cummings, formerly of Butte, Mont., and now a dialogue director for Warners, and his wife, Mona Ray, have returned to the Coast after a visit to his home state.

Brilliant Audience Greets 'Wings' at Broadway Opening

(*Continued from page* 1)

reserved seat engagement today.

Representing Paramount there were Barney Balaban, president; Stanton Griffis, chairman of executive committee; Adolph Zukor, Neil Agnew, Y. Frank Freeman, A[illegible]in Keough, C. J. Scollard, Robert [illegible]ham, Oscar Morgan, Charles Reagan, J. J. Unger, Sam Dembow, Jr., Louis Phillips, Fred Mohardt, Robert Weitman and others.

It was a gala evening. After the showing of the film, Stanton Griffis entertained more than 100 of the important guests at a reception at his home. Among the guests, besides Mr. and Mrs. Barney Balaban and Mr. and Mrs. Martin Quigley were:

List of Guests

Adolph Zukor, Austin Keough, R. J. O'Donnell, Grace Moore, Mr. and Mrs. S. A. Lynch, Mr. and Mrs. George Shaw, Madeleine Carroll, William Greve, Mr. and Mrs. Y. Frank Freeman, Mr. and Mrs. Neil Agnew, Col. and Mrs. W. E. Kepner, Lieut. Col. and Mrs. Cadmus J. Baker.

Mary Martin, Richard Halliday, Lieut. Col. and Mrs. E. M. Morris, Ilka Chase, William Murray, Margaret Case, Douglas Parmentier, Col. E. F. Koenig.

J. Cheever Cowdin, Margalo Gilmore, Robert Ross, Mr. and Mrs Richard T. Schlossberg, Major F. H. Smith, Major Donald Hudson, Conde Nast.

Major F. H. Griswold, Mr. and Mrs. Roy Howard, Deems Taylor, Col. and Mrs. Robert C. Candee, Brigadier General and Mrs. John McDonnell, Major General James E. Chaney, Winston Thomas, Col. Douglas Johnston, Col. L. B. Magruder, Major and Mrs. Ray Perkins, Col. and Mrs. Frank R. Schell, Major and Mrs. Payne Williams, Earl I. McClintock.

Others Present

Col. John Reed Kilpatrick, Bernard Gimbel, Mrs. William Rhinelander Stewart, Mr. and Mrs. Maurice Newton, Lieut. Col. Charles L. Maxwell, Don Mersereau, Valentina and George Schlee, Cecelia Ager, Mr. and Mrs. S. B. Valentine, Mr. and Mrs. Pierpont Hamilton, Tom M. Girdler, Mr. and Mrs. John Latouche, Irene Denham, Mr. and Mrs. Sidney Weinberg, Eileen Creelman, Mr. and Mrs. Harold Talbot, Sam Shain.

Mr. and Mrs. Morton Schwartz, Frank Farrell, Quentin Reynolds, Merrill Meigs, Lynn Farnol, Mrs. Julia Crosby Hornblow, the Duchess of Leinster, Joe Cloman, Mrs. Jane Leslie, Mr. and Mrs. Robert Weitman, Mr. and Mrs. Paul Raibourn, Al Wilkie, Robert Gillham, Mrs. Dee Bredin, Beth Leary, Hiller Innes, Henry Salsbury.

The Governors of New York, New Jersey, Connecticut, Massachusetts, Rhode Island and Pennsylvania have been invited to attend the special screening of "I Wanted Wings" at the Astor on Saturday at 5 P. M. The invitations were flown by members of the Aircraft Owners and Pilots Association, which is sponsoring the showing.

First Arbitration Hearings in N.Y. Set for April 3, 8

(*Continued from page* 1)

on double features and to 14 days on single features.

Warren Leslie, Jr., attorney, was named arbitrator yesterday for another clearance complaint which names the th[illegible] Reade houses at Plainfield. The complaint was brought by the Forum Theatre, Metuchen, N. J., and names Loew's, Paramount, Warners and 20th Century-Fox. A hearing date has not been set.

Companies' Counsel To Detroit Hearing

DETROIT, March 26.—Major companies will be represented by home office counsel at the first arbitration hearing of the local board here on Saturday. The case involves a clearance complaint by the Midtown Theatre against Paramount, RKO, 20th Century-Fox and Warners.

L. J. Carey, general counsel for Michigan Mutual Liability Co., is arbitrator. Irving Cohen of Paramount, William Zimmerman of RKO and Felix Jenkins of 20th Century-Fox, are expected for the hearing.

Jerome G. Thomas, Wayne University professor, is arbitrator for the other case on file here, that of the Booth Theatre against the same four companies. A hearing date has not been set.

Realty Values Figure In Walbrook Hearing

WASHINGTON, March 26.—The Walbrook Theatre in Baltimore has the lowest realty value of four film houses involved in its arbitration complaint, it was testified today before E. Barrett Prettyman, arbitrator.

William E. Ferguson, Baltimore real estate operator, made the statement, based on a survey conducted by him for the Durkee circuit, operator of the Gwynn, Ambassador and Forrest theatres. Eugene B. McCurdy, operator of the Columbia and Eureka Theatres, was put on the stand to testify as to the physical merits of the four houses concerned in the complaint but was excused when it developed that he had never been inside three of them.

The hearing, which opened yesterday, will be resumed tomorrow.

20th-Fox Planning Total of About 50

(*Continued from page* 1)

additional men on the sales force to meet the new selling conditions imposed by the consent decree.

The 20th Century-Fox studio is concentrating on completing the current season's program and it may be another month before the company will know definitely when its first block of five for the new season will be ready for trade showing, Wobber said. He reported the studio is highly enthused over "The Great American Broadcast" and "Blood and Sand," which are shaping up as the company's top attractions of the year, he said.

Wobber reported a definite business upturn underway in many sections of the country.

U.S. Pressing Schine Case; Delay is Seen for Crescent

The Department of Justice obtained authorization in U. S. District court here yesterday to take the depositions of attorneys for the Big Five in the continuing prosecution of the Federal anti-trust suit against the Schine Circuit and Columbia, Universal and United Artists. The suit is pending in Federal court at Buffalo.

Assistant U. S. Attorneys General Herbert Borkland and Seymour Simon will take the depositions of the following on April 7 at the U. S. Court House here: Edward K. Hessberg, Warners; Felix Jenkins, 20th Century-Fox; Austin Keough, Paramount; William Mallard, RKO, and Leopold Friedman, Loew's. The five companies which they represent were dismissed as defendants in the Schine suit recently.

Frederick W. Wood of Cravath, de Gersdorff, Swaine & Wood, is special counsel for the Schine Circuit in the Government anti-trust suit at Buffalo. Retention of Wood in addition to Willard S. McKay, Schine counsel, is interpreted in industry legal quarters as an indication that the expected agreement on a consent decree between the circuit and the Government may not materialize.

The decree negotiations have been under way for many months.

NASHVILLE, March 26.—The Government's anti-trust suit against Crescent Amusement Co. and the Little Three, currently on the Federal court calendar here for July 7, should take only two or three weeks to try; according to Assistant U. S. District Attorney Owen W. Hughes.

He said that the defendants still have about 30 days in which to answer the remainder of the Government's interrogatories. Hughes and Allen A. Dobey, Assistant U. S. Attorney General, are slated to represent the Government at the trial.

New York attorneys for the Little Three yesterday were inclined to minimize the possibility of the Government anti-trust suit against Crescent Amusement Co. going to trial in Federal court at Nashville on July 7.

Pointing out that the case merely had been set down on the court calendar for that date when the civil docket was called in Nashville Federal court on March 11, the attorneys pointed out that it is not a "day certain." Local attorneys are of the opinion that one of the other three pending anti-trust suits involving the Little Three will go to trial before the Nashville case.

British Blame Gov't For Industry Crisis

(*Continued from page* 1)

CEA, declared he is certain American companies are anxious to use money frozen here to produce British films, which is now impracticable. He expressed the belief that only 50 per cent of the British films shown in the last three years are of "first feature" quality. Leading circuit heads and the KRS have expressed agreement with Lewis' views.

Meanwhile, the CEA has deferred action on the refusal of exhibitors to book a Ministry of Information propaganda subject which duplicated newsreels, pending a reply by the Ministry.

Hearst Sues Friday, Inc.

William Randolph Hearst and International News Service have pending a $500,000 libel suit against Friday, Inc., publishers of *Unbelievable.* Officials of Friday, Inc., assert that the action has no reference to the RKO film, "Citizen Kane," which has been reviewed in *Friday Magazine,* as recently mentioned in MOTION PICTURE DAILY. The suit concerns a reference linking Hearst and Minister of Propaganda Goebbels in the current issue of *Unbelievable.*

To Operate 24 Hours

PHILADELPHIA, March 26. — The News Theatre, William Goldman house, will be the second downtown theatre to go on a 24-hour continuous policy. The Family, a Warner house, went on an all-night policy six years ago. The News features an hourly program of newsreel subjects and feature picture revivals.

Will Quiz Executives In Phila. Trust Suit

PHILADELPHIA, March 26.—Pre-trial examinations of William F. Rodgers, M-G-M general sales manager; T. J. Connors, M-G-M Eastern sales manager, and Abe Montague, Columbia general sales manager, will be taken in New York in connection with the $225,000 triple damage action of the Lansdowne Theatre against Warners and other major companies.

The pre-trial examination of Joseph Bernhard, Warner theatre head, was begun in New York yesterday and is expected to continue for several days. Thereafter, an effort will be made to interrogate Harry M. Warner, president of Warners, now on the Coast.

The anti-trust suit is scheduled for trial in U. S. District court here on April 21. It is expected, however, that a later date will be requested of the court in the near future.

Fight Iowa Move to Change Sales Levy

DES MOINES, March 26.—Leo F. Wolcott, president of the I.T.O. of Iowa and Nebraska, has contacted exhibitor members, urging them to protest a move in the Iowa Senate to change the sales tax so that the two per cent would be paid by prepaid coupons. At present it is collected quarterly as a straight two per cent of gross sales.

The Iowa House has before it several bills designed to license pin ball machines and various types of coin film machines, and another calling for a special admission tax which would be in addition to the present state sales tax and Federal admission levy.

Hersholt Aims Attack Against Parsons Show

(*Continued from page* 1)

type Miss Parsons has planned requires that actors waive their usual compensation and contribute their time and talent to advertise a commercial product. If, by employing a motion picture columnist, one commercial sponsor can obtain the radio services of screen actors at a relatively nominal expense, how long can we expect another sponsor to pay $10,000 a week for actors' services?" Hersholt concluded with the assertion that "we believe these programs for commercial profit seriously endanger an important source of M.P.R.F. charity financing."

Unions Attempt To Enforce Ruling

AFRA officials in New York said that efforts had been made both by SAG and AFRA to eliminate free performances by screen talent. Both unions have taken the position that the payment of AFRA minimums is not to be regarded as a "paid performance." It is a free performance, according to the unions, unless the actor is paid what he customarily gets for a commercial appearance. However, AFRA is not in a position to enforce this ruling, it was stated, because the film players are under contract to the studios and private contractual arrangements govern.

Most such contracts provide for at least one free performance on the air to aid exploitation of a film, it was pointed out, and there is nothing the unions can do except try to eliminate this provision from contracts made in the future.

Secretary Perkins At Coast Hearing

(*Continued from page* 1)

classifications and the rebuttal of producers, with a dispute over still, assistant and second cameramen holding the floor. The union wants the workers included under the terms of the wage-hour law, while the producers seek their classification as professionals.

NLRB Files Charges Against Walt Disney

HOLLYWOOD, March 26. — Unfair labor practice charges were filed today before the NLRB against Walt Disney Productions by the Society of Motion Picture Film Editors. The union alleged the company refused to bargain with it, following the board's designation of the society as the bargaining agency for cartoon editors, assistants and librarians.

Meanwhile, the Disney studio today announced that it would go on a five-day 40-hour week, and the plant would be closed completely on Saturdays, beginning this week. The studio said the decision is due to its findings as a result of a survey that two-thirds of its employes come under the wage-hour act, with one-third classed as professional.

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Feb. 28	Blondie Goes Latin (C) Outlaw of the Panhandle (O)	Free and Easy (C) 127 *Ruth Hussey* *Robt. Cummings*	Ridin' the Cherokee Trail (O) *Tex Ritter*	Monster and the Girl (D) *Ellen Drew* *Rod Cameron*	Great Train Robbery (O) *Bob Steele* *Claire Carleton*				Dark Streets of Cairo (D) *Ralph Byrd* *Sigrid Gurie*	Shadows on the Stairs (D) *F. Inescort* *P. Cavanagh*
Mar. 7	Lone Wolf Takes a Chance (D) *Warren William* *June Storey*	Rage in Heaven (D) 128 *R. Montgomery* *I. Bergman*			Citadel of Crime (D) *John Wayne* *Frances Dee*		Tobacco Road (D) 133 *C. Grapewin* *Gene Tierney*	The Great Dictator (C) *Chas. Chaplin* *Goddard-Oakie*	Mr. Dynamite (D) *Lloyd Nolan* *Irene Hervey*	Footsteps in the Dark (C) *Errol Flynn* *B. Marshall*
Mar. 14		The Penalty (D) 129 *L. Barrymore* *Edward Arnold*	Flying Wild (D) *Leo Gorcey* *Bobby Jordan*	In Old Colorado (O) 4052 *Boyd-Hayden*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *John Hubbard* 132		Double Date (D) *Peggy Moran* *Rand Brooks*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*			The Lady Eve (C) *B. Stanwyck* *Henry Fonda*		Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*	The Outlaw (O) 135 *Walter Huston* *Jane Russell*	Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Sign of the Wolf (D) *Grace Bradley* *Michael Whalen*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Melody for Three (D) *Jean Hersholt*	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*	Washington Melodrama (D) 131 *Frank Morgan*		Roundup (O) *Richard Dix* *Pat. Morison*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*			A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) 132 *Rooney-Tracy*		Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) 2-Gun Sheriff (O)	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*		Lady from Cheyenne (O) *Loretta Young* *Robert Preston*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd* *Russell Hayden*	Pals of the Pecos (O) 3 *Mesquiteers*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*		Flame of New Orleans (D) Mutiny in the Arctic (D)	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Under Age (D) *Nan Grey* *Alan Baxter*	People vs. Dr. Kildare (D) *Ayres-Day* *L. Barrymore*	Tumbledown Ranch in Arizona (O) Phantom Monster (D)	Power Dive (D) *Richard Arlen* *Jean Parker*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Inspector Hornleigh Goes To It (D) *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Model Wife (D) *Joan Blondell* *Dick Powell*	The Wagons Roll at Night (D) *H. Bogart* *Sylvia Sidney*
May 2	Chain Gang (D) They Dare Not Love (D)		Widows of the Press (D) *Jean Parker* *Wallace Ford*	Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	Lady from New Orleans (D) Singing Hills (O)	Hurry, Charlie, Hurry (C) *Leon Errol*	Great American Broadcast (M) *Alice Faye* *Oakie-Payne*		Black Cat (D) *Basil Rathbone* *Hugh Herbert*	
May 9	Her First Beau (C) *Jane Withers* *Jackie Cooper*		Human Ghost (D) *Judy Kelly* *Keneth Kent*		Country Fair (C) *Lulu Bell & Scottie*	Tom, Dick and Harry (C) *Ginger Rogers* *George Murphy*				
May 16	She Knew All the Answers (C) *Joan Bennett* *Franchot Tone*			One Night in Lisbon (D) *F. MacMurray* *M. Carroll*	Sheriff of Tombstone (O) *Roy Rogers* *Gabby Hayes*		Man Hunt (D) *Walter Pidgeon* *George Sanders*			

The Best SHORTS in the Industry come from PARAMOUNT

March 21
Headliner
'BOB CHESTER and his ORCHESTRA

March 21
Fascinating Journeys
'DELHI'
(Technicolor)

March 28
Magnacolor
'UNUSUAL OCCUPATIONS No. 4'

March 28
Grantland Rice Sportlight
'CANINE SKETCHES'

100% BOX OFFICE TESTED!

'Lady Eve' Is Boston Lead With $19,100

BOSTON, March 26. — "The Lady Eve" coupled with "Murder Among Friends" was a hit at the Metropolitan with $19,100. "Back Street" and "Let's Make Music" took $18,200 at the Keith Memorial.

Estimated receipts for the week ending March 16-19:

"Flying Wild" (Mono.)
"Li'l Abner" (RKO)
"The Lone Wolf Keeps a Date" (Col.)
"Behind the News" (Univ.)
KEITH BOSTON — (3,200) (28c-33c-44c-55c-65c) 4 days, 3 days, with vaudeville including The Martins, 3 Freshmen, Stanley Dancers, Chas. "Slim" Timblin and Grace McDonald. Gross: $11,900. (Average, $8,000)

"Back Street" (Univ.
"Let's Make Music" (RKO)
KEITH MEMORIAL—(2,907) (28c-33c-44c-55c) 7 days. Gross: $18,200. (Average, $16,000)

"The Lady Eve" (Para.)
"Murder Among Friends" (20th-Fox)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. Gross: $19,100. (Average, $15,500)

"Strawberry Blonde" (W. B.)
"The Monster and the Girl." (Para.)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $9,300. (Average, $7,500)

"Strawberry Blonde" (W. B.)
"The Monster and the Girl" (Para.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $6,000. (Average, $4,500)

"Flight Command" (M-G-M)
"The Mad Doctor" (Para.)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $3,800. (Average, $4,000)

"Come Live with Me" (M-G-M-)
"Land of Liberty" (M-G-M)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $13,000. (Average, $12,000)

"Come Live with Me" (M-G-M)
"Land of Liberty" (M-G-M)
LOEW'S ORPHEUM — (2,900) (28c-33c-44c-55c) 7 days. Gross: $17,000. (Average, $17,500)

'Nobody' and Show $15,000, Cincinnati

CINCINNATI, March 26. — Sammy Kaye's orchestra and stage show helped "The Great Mr. Nobody" to a $15,000 gross at the RKO Shubert. "Andy Hardy's Private Secretary" drew $5,000 on a moveover week at the RKO Capitol, and "Strawberry Blonde" gave Keith's $4,300 in its fourth week downtown.

Estimated receipts for the week ending March 19-22:

"Footsteps in the Dark" (W. B.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)

"A Girl, a Guy and a Gob" (RKO)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $6,800. (Average, $10,000)

"The Great Mr. Nobody" (W. B.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Sammy Kaye's orchestra and acts. Gross: $15,000. (Average, $10,000)

"Andy Hardy's Private Secretary" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $5,500)

"Vivacious Lady" (RKO)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $4,000. (Average, $5,000)

"Tobacco Road" (20th-Fox)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $3,300. (Average, $4,500)

"Lucky Devils" (Univ.)
"Marines Are Coming" (Mascot)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)

"Meet Boston Blackie" (Col.)
"Bury Me Not on the Lone Prairie" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days Gross: $900. (Average, $900)

"Strawberry Blonde" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 4th week. Gross: $4,300. (Average, $5,000)

'Back Street' Gets $12,400 in Toronto

TORONTO, March 26.—"Back Street" drew $12,400 at the Imperial, as business held up well during Lent. With Toronto athletes appearing as hockey players in the British picture, "I See Ice," the Uptown registered $9,300 for the second week.

Estimated receipts for the week ending March 22:

"Back Street" (Univ.)
IMPERIAL — (3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $12,400. (Average, $9,000)

"So Ends Our Night" (U. A.)
"Maisie Was a Lady" (M-G-M).
LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $8,000. (Average, $9,000)

"The Invisible Woman" (Univ.)
"Six Lessons from Madame LaZonga" (Univ.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $7,000. (Average, $7,500)

"This Thing Called Love" (Col.)
"Nobody's Children" (Col.)
TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $4,300. (Average, $3,900)

"I See Ice" (British)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $9,300. (Average, $9,000)

'Chump' and Miller $16,500 in St. Louis

ST. LOUIS, March 26.—"Meet the Chump," with the Glenn Miller and his band on the stage at the Fox, drew $16,500 in a week of only fair grosses. "The Great Dictator" scored $13,500 at Loew's State, dualed with "Meet Boston Blackie." The weather was excellent.

Estimated receipts for the week ending March 20:

"Footsteps in the Dark" (W. B.)
"Scattergood Baines" (RKO)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $10,000. (Average, $11,500)

"Meet the Chump" (Univ.)
FOX—(5,038) (30c-40c-50c) 7 days. Glenn Miller's band on stage. Gross: $16,500. (Average, $11,000)

"The Great Dictator" (U. A.)
"Meet Boston Blackie" (Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $13,500. (Average, $13,000)

"Tobacco Road" (20th-Fox)
"Buck Privates" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 4th week. Gross: $4,400. (Average, $4,000)

"Life with Henry" (Para.)
"Petticoat Politics" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,000. (Average, $2,600)

'Dictator' Scores $12,400 in Buffalo

BUFFALO, March 26.—"The Great Dictator," double-billed at the Great Lakes, was strong with $12,400. "Buck Privates" and "San Francisco Docks" at the Lafayette drew $8,900.

Estimated receipts for the week ending March 22:

"The Lady Eve" (Para.)
"You're the One" (Para.)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $13,200. (Average, $12,000)

"The Great Dictator" (U. A.)
"Cherokee Strip" (Para.)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $12,400. (Average $7,500)

"Tobacco Road" (20th-Fox)
"Sleepers West" (20th-Fox)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $4,400. (Average, $6,800)

"Strawberry Blonde" (W. B.)
"The Case of the Black Parrot" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days, 2nd week. Gross: $6,800. (Average, $7,500)

"Buck Privates" (Univ.)
"San Francisco Docks" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $8,900. (Average, $6,300)

Altec Renews Circuit

W. S. Butterfield Theatres has renewed contracts with Altec Service Corp. for 96 houses in Detroit and other Michigan cities. F. C. Dickely negotiated for Altec.

'Dictator' Scores $36,000 in Detroit

DETROIT, March 26. — "The Great Dictator" in its first local showing, grossed $36,000 at the Michigan. "Fantasia" drew $13,500 in its fourth week at the Wilson.

Estimated receipts for the week ending March 20:

"The Devil Commands" (Col.)
"The Face Behind the Mask" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $5,500)

"Kitty Foyle" (RKO)
"Marx Brothers Go West" (M-G-M)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)

"Tobacco Road" (20th-Fox)
"Mr. Dynamite" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) 7 days, 2nd week. Gross: $18,000. (Average, $18,000)

"The Great Dictator" (U. A.)
"Father's Son" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $36,000. (Average, $12,000)

"Flight from Destiny" (W. B.)
"Convoy" (RKO)
PALMS—(3,000) (25-39c-44c-55) 7 days. Gross: $7,000. (Average, $7,000)

"Gone with the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (44c-55c) 7 days, 5th week. Gross, $10,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON—(1,400) (55c-75c-$1.10-$1.65) 7 days, 4th week. Gross: $13,500. (Average, $10,000)

'Nice Girl?' Captures Indianapolis Lead

INDIANAPOLIS, March 26. — "Nice Girl?" and "Melody for Three" did $7,600 at the Circle, and other first runs ran a bit above average. An unseasonably severe cold snap came in mid-week.

Estimated receipts for the week ending March 19-21:

"Nice Girl?" (Univ.)
"Melody for Three" (RKO)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $7,600. (Average, $6,000)

"Tobacco Road" (20th-Fox)
"Play Girl" (RKO)
INDIANA—(3,200) (28c-33c-44c) 5 days, 2nd week. Gross: $3,400. (7-day average, $6,000)

"So Ends Our Night" (U. A.)
"Maisie Was a Lady" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $7,800. (Average, $7,000)

"The Great Mr. Nobody" (W. B.)
LYRIC — (2,000) (28c-33c-44c) 7 days. Stage: Ray Kinney and his "Musical Ambassadors to the Mainland" orchestra. Gross: $8,500. (Average, $8,000)

'Honeymoon,' Show $18,800 in Capital

WASHINGTON, March 26. — Box-office leader at $18,800 was the Earle's combination of "Honeymoon for Three" on the screen and the tabloid version of "Streets of Paris" on the stage.

Estimated receipts for the week ending March 19-20:

"Rage in Heaven" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Al Trahan, Rose Marie, Ray MacDonald, Rhythm Rockets. Gross: $15,000. (Average, $15,500)

"Honeymoon for Three" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-55c-68c-77c) 7 days. On stage: "Streets of Paris" revue, with Think-a-Drink Hoffman, Sid Marion & Cliff Hall, Petch & Deauville, Ernesto & Talia, Anne Crosby, Peggy Alexander, Don Richards. Gross: $18,800. (Average, $15,000)

"The Great Dictator" (U. A.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $15,500. (Average, $15,000)

"Mr. and Mrs. Smith" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 3rd week. Gross: $7,500. (Average, $7,500)

"Strawberry Blonde" (W. B.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $5,700. (Average, $4,500)

"The Philadelphia Story" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, 2nd week, return engagement. Gross: $5,000. (Average, $3,500)

'Strawberry' Philadelphia Best, $22,400

PHILADELPHIA, March 26. — With better weather, box-offices at the downtown theatres reported greater activity. At the Fox, "Strawberry Blonde" accounted for $22,400. "The Great Dictator" continued strong at the Stanton with $11,000 in its second week.

Estimated receipts for the week ending March 19-21:

"Fantasia" (Disney)
ALDINE—(1,400) (86c-$1.14-$1.71) 7 days, 5th week. Gross: $8,100. (Average, $9,000)

"Virginia" (Para.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,900. (Average, $2,600)

"Back Street" (Univ.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $14,200. (Average, $13,000)

"Blonde Inspiration" (M-G-M)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Orrin Tucker's orchestra, Bonnie Baker, The Body Guards, Wally & Verdyn Stapleton, and Walter Dare Wahl. Gross: $23,000. (Average, $14,000)

"Murder Among Friends" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including June St. Clair, Mlle. Jardinere, Earle LaVere & Helen Ware, Al Norman, The Duffins, and Wilfred Dubois. Gross: $6,200. (Average, $6,900)

"Strawberry Blonde" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $22,400. (Average, $13,000)

"Come Live With Me" (M-G-M)
KARLTON — (1,000) (35c-41c-57c-68c) 7 days, 2nd run. Gross: $4,500. (Average, $3,000)

"Mr. and Mrs. Smith" (RKO)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,600. (Average, $4,500)

"Andy Hardy's Private Secretary" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $12,500. (Average, $14,000)

"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $11,000. (Average, $4,500)

'Wind' Is Montreal Smash, Hits $14,000

MONTREAL, March 26.—"Gone With the Wind" topped Montreal receipts in its return showing at popular prices at Loew's, ringing up $14,000.

Estimated receipts for the week ending March 20:

"Blackout" (U. A.)
"Margie" (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days, 2nd week. Gross: $2,500. (Average, $4,000)

"Gone With the Wind" (M-G-M)
LOEW'S — (2,900) (30c-40c-60c) 7 days. Gross: $14,000. (Average, $7,000)

"Invisible Woman" (Univ.)
"Melody Ranch" (Rep.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $5,000. (Average, $2,500)

"Western Union" (20th-Fox)
PALACE — (2,200) (25c-45c-65c) 7 days. Gross: $5,800. (Average, $7,000)

"High Sierra" (W. B.)
"Here Comes Happiness" (W. B.)
CAPITOL — (2,800) (25c-45c-55c) 7 days. Gross: $6,800. (Average, $4,000)

Takes Frisco Orpheum

SAN FRANCISCO, March 26.—The Blumenfeld Theatre Circuit, operated in northern California by Joseph Blumenfeld, has acquired the Orpheum here from Fanchon & Marco interests. Al Goodwin has been named manager, replacing Hal Neides, who is now managing the Geary.

Opens Fort Wayne House

FORT WAYNE, Ind., March 26.—Peter Mallers has opened his new Wayne Theatre here.

Pittsburgh Games Drive Is Delayed

Pittsburgh, March 26.—The drive against chance games in theatres has been relaxed by the Better Business Bureau pending developments, according to George Dennison, Bureau manager, although it will be followed through as soon as the board of directors frames a program of official action.

An informal meeting of Dennison, Executive Vice-President James Green of the Chamber of Commerce, Chamber President Frank Duggan, and representatives of the Harris Amusement Co. failed to reach any conclusion, with the Bureau official contending that the continuance of games in motion pictures houses was encouraging gambling as well as being the wrong kind of merchandising for theatres, and the Harris spokesmen pointing out that games are maintained partly because of competition from other organizations that sponsor games and from radio programs that offer prize money.

Although two letters were sent by the Bureau to more than 100 exhibitors, no replies promising support of the games ban were forthcoming. Dennison bases his campaign on the court decision outlawing theatre games as the result of a plea in the Aliquippa case several months ago.

The Kiwanis Club recently issued a statement against theatre games. Next day an exhibitor refuted with the information that "the Kiwanis Club uses a door prize raffle as bait to keep up attendance at its meetings."

Broker Sues Flamm, WMCA on Sale Deal

Suit for $117,500 damages against Knickerbocker Broadcasting Co., Inc., operator of WMCA, and Donald Flamm, former president, and for $21,250 damages against Emile Z. Weinberg was filed yesterday in the New York Supreme Court by Harold J. Jacoby. Plaintiff claims that he was employed with Weinberg in 1935 to effect the sale of Knickerbocker, and that in 1936 he obtained a purchaser willing to pay $1,500,000. He charges the defendants with having refused to go through with the deal and with subsequently selling the station to Edward J. Noble for $850,000. Jacoby claims that he is entitled to his brokerage commissions, since he allegedly obtained a buyer for the station.

All to Affiliate in Pittsburgh But One

Pittsburgh, March 26.—After Oct. 1 Pittsburgh's only independent station will be WWSW. KQV will join NBC-Blue when KDKA, now on the Blue, goes over to NBC-Red. WCAE, now the Red outlet, will become affiliated with Mutual exclusively while WJAS will remain with CBS. Mutual network programs are divided at present between KQV and WWSW.

WISH Takes Quarters

Indianapolis, March 26.—WISH, new NBC-Blue outlet here which is due to go on the air about May 15, has signed a long term lease for 5,000 square feet of space in the Board of Trade Building. The transmitter, located about two miles east of Indianapolis, was said to be almost completed.

Off the Antenna

A STIPULATION settling the $25,000 suit of Bobby Byrne, band leader, against Glenn Miller, Cy Shribman, Miller's manager, and Liggett & Myers Tobacco Co. was filed yesterday in the New York Supreme Court Byrne had claimed that the defendants had induced Marietta Wright, vocalist, to break a contract with him in order to broadcast on Miller's radio program. The amount of the settlement was not revealed.

• • •

Purely Personal: *Dinah Shore was compelled to cancel her broadcast and personal appearance at the Paramount yesterday because of a throat ailment. She is not expected to be able to return until the end of the week. . . . Jean Ellington has been signed as vocalist on "Open House" over WMCA effective Tuesday. . . . Therese Lewis, story editor on the Helen Hayes CBS show, left yesterday for Cincinnati to confer with Miss Hayes on story material. . . . Norman Sickel, formerly head of the continuity department for Radio Workshop, has joined WNEW's continuity department.*

• • •

CBS will salute WSPA, Spartanburg, S. C., with a special program Saturday, 10:30-10:45 P.M., on the occasion of the station's affiliating with the network.

• • •

Program News: The "Quiz Kids" will be guests on Jack Benny's show over NBC-Red Sunday, April 6 and Benny will be their guest April 16. . . . Another exchange guest appearance will be Barry Wood on "Information, Please" and Oscar Levant on "Your Hit Parade." . . . Gabriel Heatter, Mutual commentator, will take over the spot made vacant by Dorothy Thompson when he will be heard on behalf of Barbasol Sundays, 8:45-9 P.M., beginning April 6. . . . Sydney Moseley, WMCA commentator, formerly heard daily at 1 P.M., will start a new series April 1 when he will be heard Tuesdays and Thursdays 8:45-9 P.M. . . . Mutual as well as WHN will carry the Greek War Relief show from Radio City Music Hall tomorrow night.

B & K Television License Granted

Washinton, March 26.—Balaban & Katz has been authorized by the Federal Communications Commission to construct a new experimental television station at Chicago, to operate in the 384,000-396,000 kilocycle band with 10 watts power.

The commission also ordered a hearing held on the application of Station WGRC, New Albany, Ind., for change of frequency from 1,370 to 1,040 kilocycles (1,080 kilocycles under the North American agreement), increase of power to 5,000 watts, and removal of its studio to Louisville, Ky., and its transmitter 10 miles northwest of Louisville. The hearing is to be consolidated with that on the application of the Mid-America Broadcasting Corp. for a new 1,040-kilocycle station at Louisville with 1,000 watts night, 5,000 watts day.

Dinah Shore-Cantor Pact Ruled in Force

Eddie Cantor's contract with Dinah Shore for the singer's services on Cantor's radio program was held to be in force until next June by a two to one decision of an arbitration board here yesterday.

A. Edward Moskowitz, the arbitrator selected by Miss Shore, dissented. The hearing was held at American Arbitration Association headquarters Tuesday and yesterday. Miss Shore, who was negotiating with Chase & Sanborn for a new contract, contended Cantor had failed to exercise the last option on her services, thereby terminating the pact. Cantor testified that notice of the option-lifting had been sent Miss Shore.

To Tour Ziehm Branches

Herman Rosenfeld, general sales manager for Arthur Ziehm, Inc., will leave at the end of the week for a tour of franchise offices. The company has taken over distribution rights to four Rin-Tin-Tin, Jr., features from Metropolitan Pictures, Inc.

Schenck Attorney Questions Gibney

In spite of letters produced by Joseph M. Schenck written by his debtors which stated that they were unable to pay their debts to him, the Government refused to permit their deduction from tax returns as bad debts. Lawrence W. Gibney, Treasury agent, admitted yesterday in an all-day examination.

Among these loans made by Schenck in 1936 were $1,500 to Charles King. $2,500 to R. E. Trengrove, and $1,000 to Lawrence Wheat. Repeatedly, when asked by Harold H. Corbin, defense attorney, why the Government had made rulings barring deductions for expenses, Gibney answered that he had acted under instructions of Mathias F. Correa, U. S. Attorney.

Corbin clashed frequently with Judge Grover M. Moscowitz as he attempted to have Gibney explain the reasons modifying the rulings of the Government. Corbin pointed out that the Government had allowed Schenck to deduct subscriptions to trade papers and for membership in organizations in 1936 while refusing to accept the same deductions in 1935. The defense attorney also claimed that Schenck had gone to Europe in 1935 on business. Gibney continues on the stand today.

Georgia Time Shift Caused Air Mixups

Atlanta, March 26.—The sudden action over the weekend of the Georgia Legislature in putting the entire state on Eastern Standard Time, instead of part Eastern and part Central as previously, caused considerable confusion on radio schedules. The daily schedule of WSB, Atlanta, previously 5 A.M. to 12:30 A.M., has been shifted to 5:30 A.M. to 1:30 A.M. On Saturday, when the law went into effect, the WSB "Barn Dance" had to be recorded and placed on the air by transcription because the show was over before it was due to go on the air.

Short Subject Reviews

"Freddie Martin & Orchestra"

(Warners)

Five songs, played by Freddie Martin and his orchestra, are included in this issue of "Melody Master Bands." Heard are "Bye Lo Bye Lullaby," "I Get a Kick Out of You," "Tales from the Vienna Woods," "Say Si Si" and "Jaywalk," and there are two dance numbers in addition. Although neither Martin nor members of his band have much screen personality, interesting effects have been achieved by the camera work. Running time, 10 mins.

"So Long Mr. Chumps"

(Columbia)

The Three Stooges, the rugged slapstick trio who repeatedly become involved in the most weird perplexities, take advantage of every opportunity to gesticulate strangely and to look as ridiculous as possible. This short should spell rousing comedy for many. They land in jail while employed to search for an honest man and ultimately learn that their employer is a crook. Running time, 17 minutes.

"Publicity Sports"

(RKO-Pathe)

This "Sportscope" is dedicated to the publicity men of Florida who concoct weird news sports just for a chance to get the picture of a pretty girl in a bathing suit into the newspaper alongside a mention of the advantages of Miami. The point of the reel is that many such press agents' dreams have introduced popular new sports including skiing on the sand, tub racing, bicycling on land and water and similar amusements. Highly interesting. Running time, 9 mins.

"When Wifie's Away"

(RKO)

Fourth in the new Leon Errol series, "When Wifie's Away" finds Errol involved with an acrobatic dancer, who wants him for a dancing partner. Errol agrees to a rehearsal at home while his wife is away on a trip, but her sudden return complicates things. The comedy is weak. Running time, 20 mins.

"Quiet, Pleze"

(Paramount)

The team of Popeye and his Pappy in this cartoon perform strictly for the juvenile trade. The weak plot has Popeye muffling all noises around town such as the throttle of a factory whistle and riveting so that Pappy might enjoy a siesta undisturbed. It is not particularly amusing. Running time, 7 mins.

"The Little Whirlwind"

(Disney-RKO)

Mickey Mouse agrees to rake the leaves in Minnie's yard in return for some of the cake which she is baking. A playful little wind, however, disrupts Mickey's raking. Enraged, Mickey chases the little breeze away, but the latter promptly returns with his big brother, the tornado. Clever effects. Running time, 8 mins.

DO NOT REM

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Picture
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
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and
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VOL. 49. NO. 61 NEW YORK, U. S. A., FRIDAY, MARCH 28, 1941 TEN CENTS

SAG Forbids Free Talent On Air Shows

Heeds Hersholt Plea on Parsons' Program

HOLLYWOOD, March 27.—The Screen Actors Guild today notified its Class A members that disciplinary action would be taken against them if they violated the Guild rule against giving free performances on the radio.

The action was taken in response to the protest of Jean Hersholt, president of the Motion Picture Relief Fund, against Louella Parsons' air show for Lifebuoy which starts on CBS tomorrow. Hersholt was advised by letter from Edward Arnold, Guild president, that the organization will enforce its rule to the limit.

Richard Marvin, radio manager for the William Esty Agency, which handles the Lifebuoy account, said there is no possibility of the program being

(*Continued on page* 6)

Atlas Increases Its Holdings in RKO

WASHINGTON, March 27.—Additional purchases of RKO securities by Atlas Corp. during January brought the investment company's holdings to approximately 40 per cent of the outstanding RKO common stock and 30 per cent of the preferred, the Atlas report to the Securities and Exchange Commission today revealed.

Atlas added 11,600 shares of RKO common and 1,200 shares of preferred to its holdings during January, bringing its total holdings, inclusive of shares held by its subsidiary, the American Co., to 1,012,726 shares of common and 36,681 shares of pre-

(*Continued on page* 4)

N Y Assembly Votes City Tax Option Bill

ALBANY, March 27.—The Assembly today passed a measure allowing New York City to impose a business tax of 1/20th of one per cent on turnover, including theatre admissions. This measure is purely permissive and not mandatory upon the city. The utility tax for New York City, unemployment relief and other emergency measures were continued, but the business turnover is a new item. Senate approval is expected.

Para. Contracts at New High of 10,000

Paramount's contracts for the current season have set a new all-time high for the company, representing in excess of 10,000 acounts, Neil Agnew, vice-president and general manager of distribution, told a meeting of the company's district managers here yesterday.

Free Street Shows Held Competition To Film Theatres

Free entertainment at Times Square and the mild weather are proving strong counter-attractions to Broadway theatres, according to the managers, and combined with holdover attractions at most houses are holding grosses to comparatively low levels.

It is estimated that about 250 persons an hour are inspecting the Army Air Corps' fighter plane exhibit at Times Square. In addition, many are detained in watching the open-air entertainment in the Square sponsored by the amusement industry division of the Greek War Relief Fund. These free shows will continue through tomorrow.

"The Sea Wolf" at the Strand with Charlie Spivak's band on the stage

(*Continued on page* 4)

U.A. PROPOSES NEW PLAN OF SELLING

U. A. to Have Five District Sales Meetings

United Artists has scheduled five new season district sales meetings, starting April 14 with a session in New York, it was announced yesterday by Arthur W. Kelly, vice-president. At the same time, Edward Small, one of the company's producers, disclosed the titles of five of his new pictures. Small will produce eight films in 1941-'42, the company announced.

Arthur Kelly

The titles are "G-Man Versus Scotland Yard," starring Ilona Massey; "Twin Beds," "Heliotrope," "The

(*Continued on page* 4)

All Product on Single Contract Except for Selznick, Chaplin

HOLLYWOOD, March 27.—All of United Artists product, excepting the product of David O. Selznick and Charles Chaplin, will be sold on one contract in 1941-'42, should the new selling plans of the company conceived by its management be approved by the U.A. producers to whom this kind of a proposal has been submitted. This sales policy, if adopted, would completely revolutionize the company's sales methods which have stood for 20 years, namely, selling each producer's product separately.

Maurice Silverstone

The new sales plan which has been submitted to all of U. A.'s producers for

(*Continued on page* 4)

First Arbitration Appeal in Chicago; 7th Case in N. Y.

The first appeal of an arbitration decision under the industry consent decree was filed with the Chicago arbitration board yesterday for transmission to the national appeals board in New York.

Four additional complaints were set for hearing yesterday, and the seventh New York case was filed with the local board.

The first case to go to the national appeals board is the clearance and run complaint of Banowitz & Landis, operators of the Ken, Chicago, against Paramount, RKO and 20th Century-Fox, which named certain theatres in the Schoenstadt Circuit in that city. The complaint was dismissed last Saturday by Charles P. Megan, arbitrator, on the grounds that it involved questions which may not be arbitrated under the decree until after

(*Continued on page* 7)

Consolidated Film Officers Reelected

All officers of Consolidated Film Industries, Inc., were reelected by the board of directors yesterday following the annual meeting of stockholders held at the company offices.

Consolidated stockholders reelected directors whose terms had expired. They were D. H. Seifert, M. J. Siegel, J. E. MacPherson and J. W. Coffman.

Officers of the company are: Herbert J. Yates, president; Herbert J. Yates, Jr., vice-president and treasurer; J. W. Aller, Ralph I. Poucher, M. J. Siegel, Walter W. Vincent, vice-presidents; J. E. McMahon, secretary; A. E. Schiller, assistant secretary; R. S. Rodgers, E. H. Seifert and N. K. Loder, assistant treasurers.

Goldwyn to Make Film With Disney

Samuel Goldwyn will make a picture in association with Walt Disney, it was announced yesterday. This picture will be "The Life and Stories of Hans Christian Andersen." Production will not begin until at least three months from now. The film will be a combination of live action and animation.

Attorney Leo Spitz of the Chicago law firm of Spitz & Adcock represented both principals in the transaction. The deal was made in Hollywood.

Disney at present releases his short

(*Continued on page* 4)

In Today's Issue

Hollywood reviews of "The Bad Man," Page 4, and "Border Vigilantes," Page 5. New York review of "Mr. District Attorney," Page 4. Key city grosses, Pages 5, 7.

Coast Flashes

Hollywood, March 27

CLASSIFICATION of sound technicians and property men as exempt or non-exempt from the provisions of the Federal wage-hour act was the subject of a debate at today's hearing before Merle Vincent, chief examiner of the wage-hour division, in Los Angeles. Douglas Shearer and John Aalberg, sound department heads of M-G-M and RKO, respectively, testified that these workers are in the professional category, while Joseph Padway, A.F.L. counsel and I.A.T.S.E. spokesman, disputed that view. The examiner indicated that the hearing may be concluded tomorrow.

•

Cary Grant was signed today by Warners to play the lead in "The Man Who Came to Dinner." He will contribute his salary from the production to British war relief. Edmund Goulding will direct the film from a script by Julius and Philip Epstein.

•

Charles Boren, assistant Paramount studio manager, today became studio manager, succeeding T. Keith Glennan. Boren had been in charge of employe relations under Glennan.

•

Columbia today borrowed Robert Montgomery from M-G-M to star in "Heaven Can Wait," to be produced by Everett Riskin and directed by Alexander Hall.

•

Paramount today extended the contract of George Pal, producing "Puppetoon" shorts, for the new season, when he will make another series of six. He has completed two of the present series.

•

Rita Hayworth will co-star with Fred Astaire in Columbia's "He's My Uncle," a musical with Army camp background.

Iowa House Votes Coin Machine Tax

DES MOINES, March 27.—The Iowa House yesterday voted to levy a tax of $100 a year on each automatic coin-operated motion picture machine. The bill now goes to the Senate.

Lindy's INC.

RESTAURANTS

1626 BROADWAY 1655

(Next to the Rivoli Theatre)

(51st Street Corner)

For over 20 years the luncheon and dinner place for Motion Picture People

Sole agents in New York for FAMOUS

BLUM'S ALMONDETTES

from

San Francisco, California

Personal Mention

WILLIAM GOETZ, assistant to DARRYL F. ZANUCK, will return to the Coast the middle of next week.

•

MR. and MRS. BENJAMIN RECHETNIK, parents of SIDNEY RECHETNIK of the Warner publicity department, celebrate their 30th wedding anniversary today.

•

GEORGE L. CARRINGTON, vice-president and general manager of Altec Service Corp., has returned from a two-month stay on the Coast.

•

AL YOUNG, MARTIN MOSKOWITZ and JOSEPH PINCUS lunching at Lindy's (51st St.) yesterday.

•

A. L. PINDAT, Republic special representative, sails today on the *Santa Clara* for four weeks at the company's Panama office.

•

JOHN HARKINS has returned to his post at Warners' publicity department after a leave of absence of several months.

•

LESTER FULLER, BORIS KARLOFF, MORT SPRING and JOHN GOLDEN lunching yesterday at Sardi's.

•

W. RAY JOHNSTON, Monogram president, is scheduled to leave New York for the Coast tomorrow.

•

ABE SCHNEIDER, NATE SPINGOLD, LOU WEINBERG, ROBERT WOLFF, AL MARGOLIES, SOL EDWARDS and HARRY COSMAN having lunch yesterday at Lindy's (next to the Rivoli).

•

WILLIAM J. HEINEMAN, J. J. JORDAN, CHARLES E. MCCARTHY, MILTON SILVER, HANK LINET, LEO ABRAMS, AL ALTMAN and WALTER FUTTER at the Tavern for lunch yesterday.

•

SAM GOLLAND, assistant manager of Warners' Capitol, Philadelphia, is the father of a daughter, born this week at St. Luke's Hospital in that city.

•

WILLIAM F. RODGERS, TOM CONNORS, WILLIAM A. SCULLY, MAX DREYFUS, MAURICE BERGMAN and JOSEPH SEIDER at Nick's Hunting Room in the Astor yesterday for lunch.

•

LESTER JEFFRIES, assistant manager of Fay's Theatre, Philadelphia, is recovering from pneumonia at the Navy Hospital there.

Army Entertainment To Cost $5,000,000

WASHINGTON, March 27.—Plans of the War Department for motion picture and other entertainment for Army camps will necessitate the expenditure of more than $5,000,000 in additional film theatre and recreational centers.

Funds are provided in appropriations already approved by Congress for camp construction and facilities for defense workers. The War Department is expected to receive about $1,500,000 for Army camp recreational construction. The emergency housing program calls for about $2,750,000 more in addition to the appropriations of recreation in the regular War Department budget. Plans call for facilities to permit every man in the Army to attend a show at least once each week.

'U' Will Distribute Soskin Film Here

LONDON, March 27.—"Quiet Wedding," produced here for Paramount by Paul Soskin, head of Soskin Productions, Ltd., has been acquired for distribution in the United States by Universal, it was announced today.

Paramount released the film in England on Jan. 29. The picture was reviewed in MOTION PICTURE DAILY from London on Feb. 11. It stars Margaret Lockwood.

Interstate's Golf Tourney April 6-7

SAN ANTONIO, March 27.—The annual Interstate golf tournament will be held April 6 and 7 at Brackenridge Park. Theatre men from Austin will participate in the competition this year. John T. Floore, manager of the Majestic and a director of the Boys Club, stated that the money raised will be used to permit 35 underprivileged boys to attend Summer camp.

Empire Films Opens Toronto Meet Today

TORONTO, March 27.—Officials of Empire Films, Ltd., will open a four-day meeting tomorrow at the Royal York Hotel here to discuss the 1941-'42 product announcements and sales plans of Universal and Republic, for whom the company distributes in the Dominion.

James R. Grainger, Republic president, arrives from New York tomorrow to attend the Republic sessions, which will continue through Saturday. The Universal meeting will take place Monday and Tuesday with J. Cheever Cowdin, chairman of the board; W. A. Scully, vice-president and general sales manager, and F. J. A. McCarthy, Eastern sales manager, coming from New York for those sessions.

Wanger to Denver For Club's Dinner

DENVER, March 27.—Walter Wanger, Phil Regan, Alan Hale and Marjorie Weaver are scheduled to arrive here tomorrow to attend the Rocky Mountain Screen Club's 26th anniversary dinner. Regan will appear at the Orpheum Theatre and Hale at the Denver.

'Miss Jones' Opens In Miami on April 4

"The Devil and Miss Jones," RKO film, will have a three-theatre world premiere at the Paramount, Beach and Sheridan Theatres in Miami on April 4. The film stars Jean Arthur.

Report RKO Story Buy

Harry Sobol and Ted Hartman, representatives of Luther Davis and John Cleveland, report that the latter's *Collier's Magazine* article, "The Mayor of Forty-fourth Street," has been bought for production by RKO for $20,000.

Newsreel Parade

THE labor crisis seriously affecting the defense industries as strikes spread and the new National Defense Mediation Board meets in Washington, is covered fully in the new issues. Also given wide attention is the hearty welcome to Wendell Willkie in Canada and various aspects of defense [illegible]aration. The contents:

MOVIETONE NEWS, No. 58—Strikes in defense industries in Pennsyvania and Chicago, as Mediation Board meets in Washington. Wendell Willkie welcomed in Canada. Marines train at Quantico, Va. Hudson bombers turned out on Coast. Bathing suit styles feature feathers. Long Island University wins basketball championship. Jallopies on parade in San Antonio.

NEWS OF THE DAY, No. 256—Defense faces crisis brought about by strikes. Mediation Board meets in Washington. Marines in training at Quantico. Brazil expands its navy. Willkie welcomed in Canada. Halifax says Hitler will fail in invasion attempt. L.I.U. wins basketball tournament. Florida youngsters engage in acrobatics.

PARAMOUNT NEWS, No. 61—Women's golf tournament for British relief in New Orleans. Seven-billion dollar lend-lease appropriation passed. Canada welcomes Wendell Willkie. Communist Browder begins prison term for passport fraud. Colorado legislature kills bill to force registration of firearms. Lord Halifax discusses Hitler's chances. Paramount News pictorially surveys the strike situation in defense industries.

RKO PATHE NEWS, No. 61—Dykstra outlines aims of new National Defense Mediation Board, while strikes beset defense industries. Toronto crowds hail Wendell Willkie. Halifax answers questions on Hitler's invasion chances. Troops in review at Schofield Barracks in Hawaii. Harvest of guayule shows California source of rubber. Draftees learn to handle pigeons at Fort Monmouth, N. J. First of six new Clippers is ready in Seattle. L.I.U. beats Ohio University in national basketball tourney in New York.

UNIVERSAL NEWSREEL, No. 966—Defense industry pickets and police battle and National Mediation Board starts work. National defense: machine guns turned out in Flint: Marines trained at Quantico; pigeons trained at Fort Monmouth, N. J.; rush clippers for Britain. Halifax says Hitler invasion attempt doomed to failure. Willkie welcomed in Canada. Spring styles displayed at Botanical Gardens, Brooklyn. No holds barred in Newark wrestling match. Long Island University wins national collegiate basketball tourney.

SPG Sets Art Exhibit

The Screen Publicists Guild will hold an art exhibition at the Barbizon-Plaza Gallery from April 20 to 30.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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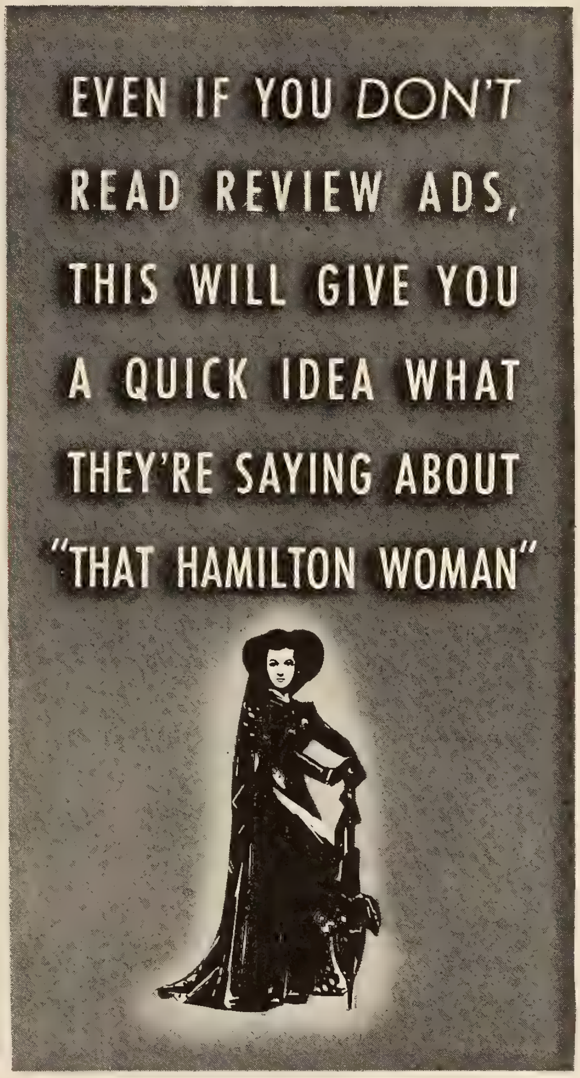


EVEN IF YOU DON'T READ REVIEW ADS, THIS WILL GIVE YOU A QUICK IDEA WHAT THEY'RE SAYING ABOUT "THAT HAMILTON WOMAN"

Louella Parsons says "The picture of the week, perhaps of the month or year. I don't see how it can miss being box-office!" John Chapman, NewYork Daily News columnist writes: "Miss Leigh has done the nearly impossible—she has topped her performance in 'Gone With The Wind'." Film Daily calls it "Tops in all departments. Great entertainment for all audiences. Ranks high among the outstanding pictures of the year." Hedda Hopper broadcasts: "Alexander Korda has produced the whole picture with a prodigal hand. Vivien Leigh is superb from start to finish!" Hollywood Reporter reports: "A magnificent production. Vivien Leigh gives a glorious performance. Hers is a brilliant exhibition of acting." Daily Variety says: "A stirring drama." Sheila Graham, North American Newspaper Alliance writes: "Leigh's performance outranks her Scarlett!" John Truesdell, Esquire Syndicate, raves: "A powerful and beautifully told love story. One of the year's film high points." Los Angeles Daily News says: "One of the standout films of the year." Los Angeles Herald Express predicts: "It should find large audiences. Plenty of entertainment for the movie fan."

Opens Thursday, April 3rd, Radio City Music Hall

TARRING VIVIEN LEIGH AND LAURENCE OLIVIER. PRODUCED BY ALEXANDER KORDA. RELEASED THRU UNITED ARTISTS

U. A. Proposes Selling Product On Single Pact

(Continued from page 1)

approval by Maurice Silverstone, chief of world-wide operations, is understood to contain a provision eliminating the producer's right of approval of playdates. The new U. A. proposal is described as being similar in many respects to the sliding scale plan of M-G-M.

Arthur Kelly's imprimatur is upon the plan, according to reports, and it has been approved by the independent producers' committee of United Artists, comprising Walter Wanger, Edward Small and Sol Lesser. Clarence Erickson, representative of this committee, has returned to the Coast after conferring with Kelly, who is vice-president in charge of distribution, and with Silverstone, regarding the new setup.

Under the plan, the distribution department will have complete sway over selling, whereas heretofore considerable power over sales rested with the individual producers and their representatives.

All of the product will be sold on established formulae which have been set up in advance.

United Artists will have at least 11 producers on its roster for the coming season, including Alexander Korda, Walter Wanger, Edward Small and others.

U. A. to Have Five District Meetings

(Continued from page 1)

Corsican Brothers" and "My Official Wife."

The company's regional sales meetings will run two days each.

The Southern district meeting for exchanges in Atlanta, Charlotte, Dallas and New Orleans will be held in the last named city, beginning April 17. Cincinnati, Cleveland, Indianapolis and Pittsburgh exchanges will meet in Buffalo, beginning April 21. Canadian and Midwest exchanges will convene in Chicago, beginning April 24. In this group are the Detroit, Kansas City, St. Louis, Chicago, Milwaukee, Minneapolis, Denver, Omaha, Calgary, Montreal, St. John, Vancouver and Winnipeg offices.

Personnel from San Francisco, Los Angeles, Seattle and Salt Lake City will meet on April 28 in San Francisco.

The New York session will be for Boston, New Haven, New York, Philadelphia and Washington.

Club Establishes Toy-Loan Center

Baltimore, March 27.—The local Variety Club has established a toy-lending center in a market hall here. The plan includes a "library" of toys. It allows children to take out a toy a week and to return it and exchange it for another.

Feature Reviews

"The Bad Man"

(M-G-M)

Hollywood, March 27

OF top significance to today's public would seem to be the fact that this is the first picture in which Wallace Beery has come to his admirers since they voted him, in terms of dollars for tickets paid to showmen, to rank among the Ten Money-Making Stars of 1940 in the *Motion Picture Herald-Fame* poll of exhibitors.

Of some significance to yesterday's public is the fact that the film is from a play of the same title which was a hit on Broadway many years ago.

It is as a play for footlights that the subject matter has been handled by producer J. Walter Rubens and director Richard Thorpe, with the result that it lacks the motion, action, thrill and suspense with which Beery's admirers associate his performances, running instead to dialogue, discussion, threat and counter-threat, nearly all of which occurs inside and outside a ranch house near the Mexican border. Others who participate in the plot are Lionel Barrymore, Laraine Day, Ronald Reagan, Henry Travers, Chris-Pin Martin, Tom Conway, Chill Wills, Nydia Westman and Charles Stevens.

Crux of the story is the conflict among owner, mortgagor and would-be buyer of the ranch. Money and love have created a state of tension on the place when the bad man, a Mexican bandit, raids the ranch, takes command of all and administers a personal code which produces an approximation of justice.

Running time, 70 minutes. "G."* ROSCOE WILLIAMS

"Mr. District Attorney"

(Republic)

BASED on the radio program of the same name, "Mr. District Attortorney" should lend itself readily to exploitation, particularly in the cities where the program is heard regularly each Wednesday.

Although its title might imply a series of courtroom scenes, the plot concerns itself mainly with a melodramatic search for crooked politicans. Involved, too, are a hardboiled newspaperwoman and a young lawyer who proves his merit despite prejudice created by his Boston Back Bay background.

Dennis O'Keefe is the young blueblood who seeks to make his career in law. He comes to the office of Stanley Ridges, who play the title role, and gets a job as an assistant. After a serious blunder, O'Keefe is assigned an old case to keep him occupied but out of the way. He accidently comes upon an important factor and, with the aid of Florence Rice, the reporter, solves the mystery.

Peter Lorre, as a politician who has disappeared, is the center of the mystery. Lorre is known to have a large fortune in $50 bills but the serial numbers are known. Another crooked politician, Minor Watson, seeks election as District Attorney and O'Keefe and Ridges succeed in linking him to the murder of Lorre. The plot has frequent new complications and a wild chase through city streets brings it to a climax. It should sustain audience interest throughout. William Morgan directed and Leonard Fields produced.

Running time, 69 minutes. "G."* EDWARD GREIF

**'G" denotes general classification.*

ANPA Seeks Closer Ties with Industry

The American Newspaper Publishers Association, through its Bureau of Advertising, representing 620 newspapers, has undertaken an approach to the film industry designed to develop better relations, from the viewpoints of publicity and advertising, according to *Motion Picture Herald.*

The newspaper group is working in conjunction with the American Association of Advertising Agencies and the Association of National Advertisers, with memberships of 123 agencies and 325 advertisers, respectively. Recognizing that the film industry is one of the newspapers' best space buyers, the project is aimed at the operators of all theatres in the United States and Canada. The publishers urge that the exhibitor make a closer study of his position in relation to his local newspapers. The publishers point out that the daily paper audience in the U. S. and Canada for film publicity and advertising totals 45,150,000 women and 38,990,000 men.

Shift Dietrich Suit To Federal Court

The $90,000 suit of Jack Forrester, French producer, against Marlene Dietrich for breach of contract was transferred to U. S. District Court here yesterday from City court on the application of Schwartz & Frohlich, counsel for Miss Dietrich. Forrester alleges that the actress contracted to appear in a picture which he was to produce in France in 1939, but failed to do so.

Free Street Shows Held Competition To Film Theatres

(Continued from page 1)

drew an estimated $34,000 in the first week ending Wednesday, and is now in its second week. "Meet John Doe," now in its third week at the Rivoli and Hollywood, drew an estimated $27,000 at the Rivoli and $12,0[illegible] at the Hollywood in the second [illegible] which ended Wednesday night.

At the Roxy, "That Night in Rio," with a stage show, is expected to end its third week tonight with about $30,000. It will be held for five days of the fourth week, and will be replaced next Thursday by "Pot o' Gold."

"Adam Had Four Sons" started yesterday at the Radio City Music Hall, with a stage show, following "Cheers for Miss Bishop," which completed its second week Wednesday night with an estimated $62,000.

"Topper Returns" opened at the Capitol yesterday, replacing "Rage in Heaven," which finished a week's run with about $16,000.

"Night Train" at the Globe is expected to complete its 13th week tonight with an estimated $5,400. Its 14th and final week will begin tomorrow, and it will be replaced April 12 by "Escape to Glory."

Atlas Increases Its Holdings in RKO

(Continued from page 1)

ferred, as of February 1. In addition, Atlas holds 327,811 RKO option warrants and 7,000 shares of Keith-Albee-Orpheum preferred.

The next largest film stock transaction reported was the acquisition of 500 common voting trust certificates of Universal Corp., by Preston Davie, director, who also acquired 20 shares of Universal Pictures preferred, bringing his total holdings at the end of January to 3,500 Universal Corp. certificates and 50 shares of Universal Pictures preferred.

Acquisition of 400 shares of Paramount Pictures common, giving him a total of 500 shares, was reported by Henry Ginsberg, studio executive. A late report for Edwin L. Weisl, Paramount board member, disclosed the sale in December of his entire holdings of Paramount second preferred, amounting to 3,200 shares.

The final transaction reported was the acquisition of 10 shares of Keith-Albee-Orpheum preferred by William F. Whitman, who held 45 shares at the end of January.

Goldwyn to Make Film With Disney

(Continued from page 1)

subjects through RKO. "Fantasia," his feature length film, is being roadshowed under his own auspices.

Goldwyn only a short time ago obtained his release from United Artists, to which company he disposed of his one-fifth interest in the firm.

There have been no negotiations concluded with regard to a release of this Goldwyn-Disney project, according to advices from the Coast.

'John Doe' Is Hit in Frisco With $20,100

SAN FRANCISCO, March 27.—"Meet John Doe" at the Warfield took $20,100. "Back Street" and "Six Lessons from Madame La Zonga" scored $11,[illegible]0 at the Orpheum. "Fantasia" drew $14,200 in the third week at the Geary.

Estimated receipts for the week ending March 18-22:

"A Girl, a Guy and a Gob" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: Vaudeville. Gross: $10,500. (Average, $15,000)
"Back Street" (Univ.)
"Six Lessons from Madame La Zonga" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $11,700. (Average, $8,000)
"The Hard-Boiled Canary" (Para.)
"Life With Henry" (Para.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $14,000. (Average, $16,000)
"Footsteps in the Dark" (W. B.)
"Father's Son" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $9,000. (Average, $11,500)
"Tobacco Road" (20th-Fox)
"Sleepers West" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)
"So Ends Our Night" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days, 2nd week. Gross: $5,500. (Average, $8,000)
"Meet John Doe" (W. B.)
WARFIELD—(2,680) (40c-50c-65c) 7 days. Gross: $20,100. (Average, $12,000)
"Hotel du Nord" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $600. (Average, $1,000)
"Fantasia" (Disney)
GEARY—(1,288) (55c-75c-$1.10-$1.65) 7 days, 3rd week. Gross: $14,200. (Average, $12,000)

'Eve' Is Baltimore Winner at $14,000

BALTIMORE, March 27.—"The Lady Eve" drew a strong $14,000 at Keith's. "Tobacco Road" scored $9,000 in the second week at the New.

Estimated receipts for the week ending March 20:

"Come Live With Me" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $10,500. (Average, $10,000)
"The Lady Eve" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $14,000. (Average, $9,000)
"Tobacco Road" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $7,000)
"Virginia" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $12,000. (Average, $12,000)
"Blondie Goes Latin" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Ella Fitzgerald and her Orchestra with all-colored Revue. Gross: $15,000. (Average, $14,000)

'Smith' with $8,200 In New Haven Lull

NEW HAVEN, March 27.—"Mr. and Mrs. Smith" and "The Trial of Mary Dugan" at the Loew-Poli drew $8,200 in a week of generally slow grosses.

Estimated receipts for the week ending March 20:

"Western Union" (20th-Fox)
"Blondie Goes Latin" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,900. (Average, $2,700)
"Mr. and Mrs. Smith" (RKO)
"Trial of Mary Dugan" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,200. (Average, $8,000)
"The Hard Boiled Canary" (Para.)
"Convoy" (RKO)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,000. (Average, $4,500)
"Cheers for Miss Bishop" (U. A.)
"Ride, Kelly, Ride" (20th-Fox)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,300. (Average, $5,000)

Hollywood Review

"Border Vigilantes"

(Paramount-Harry Sherman)

Hollywood, March 27

THIS is the 34th Hopalong Cassidy Western produced by Harry Sherman, who has his next two completed and ready for preview come release date eve. This may or may not be the best of the series but is close enough to that rank to make arguing of the point worthwhile. This one has speed, coherence, shooting, plotting, battling, riding, pursuit and combat in ample measure and in consummate alignment, making the hour of its exhibition seem short.

Accompanying William Boyd as Hopalong are Russell Hayden and Andy Clyde, the latter given more prominence than usual, and their associates in this outing include Victor Jory as the plotter who, posing as leading citizen, is unmasked and brought into custody by the persevering Cassidy; Frances Gifford, Ethel Wales, Morris Ankrum, Tom Tyler, Hal Talliaferro, Jack Rockwell and Britt Wood. They turn in a nicely rounded set of performances.

Setting is a western town in the silver country, shipment of the metal by wagon and pack-horse supplying the strife between honest citizens and raiders.

Making his bow as director, Derwin Abrahams, long a member of the Harry Sherman organization, lays firm hold on his subject matter and dishes up a solid piece of entertainment.

Running time, 60 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

WHN Broadcasts Loew's Timetable

information about the feature pictures playing and their starting time at 68 Loew theatres in New York City, Westchester, Long Island and New Jersey is now broadcast regularly over WHN Mondays through Saturdays at 6:30 P.M. The program is called "Loew's Movie Timetable."

Theatre Raises Prices

INDIANAPOLIS, March 27.—The Lyric, first run film and vaudeville house, will raise admission prices beginning this weekend. The new scale will be 30 cents, 40 cents, 50 cents, replacing the scale of 28 cents, 33 cents, 44 cents. Charles M. Olson, owner, said the rise is made necessary by increased operating costs and to maintain stage show standards.

Plans Shorts Series

Jubilee Productions, recently formed with J. J. Balaber as president, plans a series of 24 short subjects under the general title, "Screen Parade," featuring bits from old silent films.

'Wind' Minneapolis Smash with $13,000

MINNEAPOLIS, March 27. — "Gone With the Wind" did a fine $13,000 at the Century despite the blizzard, which hurt business at other houses. "Strawberry Blonde" drew $7,500 at the Orpheum.

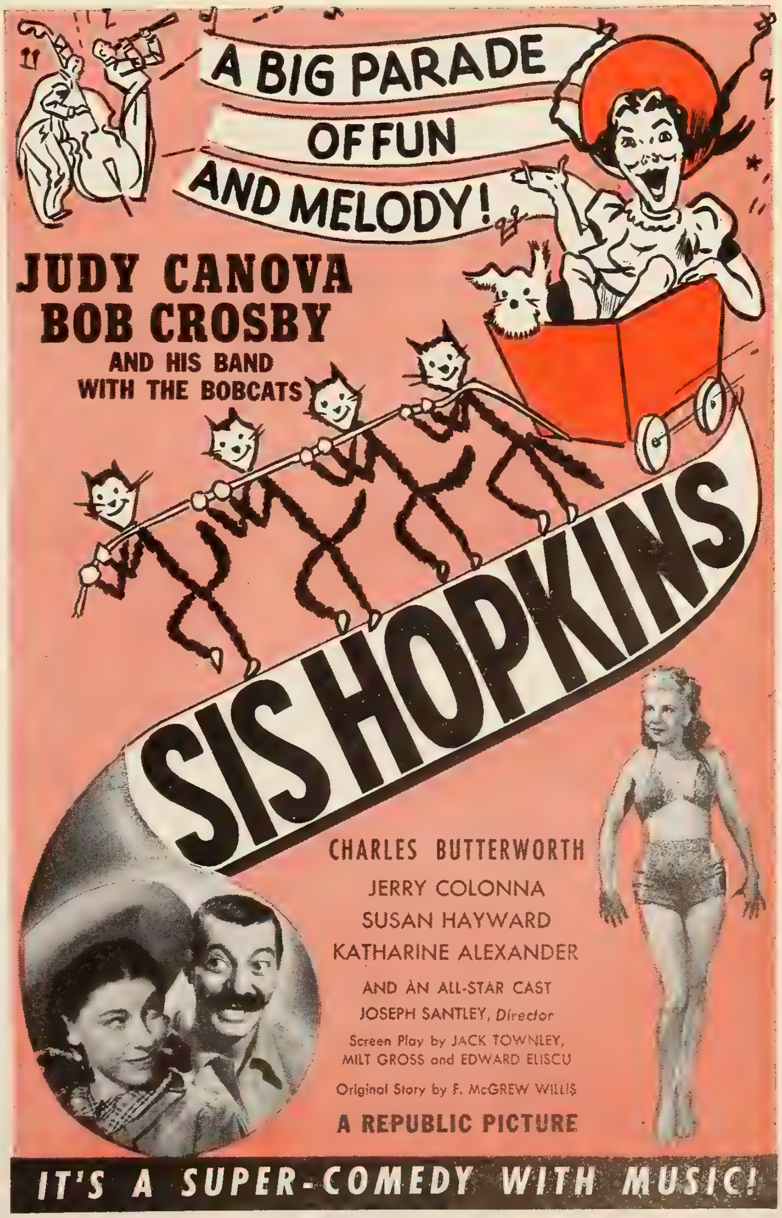
"Strawberry Blonde" (W. B.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $5,500)
"Gone with the Wind" (M-G-M)
CENTURY—(1,600) (28c-44c-55c) 7 days. Gross: $13,000. (Average, $4,000)
"Back Street" (Univ.)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $6,500. (Average, $6,000)
"Western Union" (20th-Fox)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross, $2,000. (Average, $1,600)
"Buck Privates" (Univ.)
GOPHER—(998) (28c) 7 days. Gross: $4,100. (Average, $2,500)
"Meet the Chump" (Univ.) 3 days.
"Devil Commands" (Col.) 3 days.
"Six Lessons from Madame La Zonga" (Univ.) 4 days.
"Lone Wolf Takes a Chance" (Col.) 4 days.
ASTER—(900) (15c-28c) 7 days. Gross: $1,800. (Average, $1,800)

'Barnyard,' Show $7,000, Kansas City

KANSAS CITY, March 27.—"Barnyard Follies," aided by a Major Bowes stage unit at the Tower, took $7,000 in a week of generally slow grosses.

Estimated receipts for the week ending March 18-21:

"Nice Girl?" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $2.800. (Average, $2,200)
"Come Live with Me" (M-G-M)
"Land of Liberty" (M-G-M)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $7,700. (Average, $9,500)
"Footsteps in the Dark" (W. B.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $6,000. (Average, $7,000)
"Strawberry Blonde" (W. B.)
"Texas Rangers Ride Again" (Para.)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $4,500. (Average, $5,000)
"Barnyard Follies" (Rep.)
TOWER — (2200) (30c) 7 days. Major Bowes All Star review on stage. Gross: $7.000. (Average, $6,000)
"Nice Girl?" (Univ.)
UPTOWN — (2,000) (28c-44c) 7 days. Gross: $3,000. (Average, $3,000)


A BIG PARADE OF FUN AND MELODY!
JUDY CANOVA
BOB CROSBY
AND HIS BAND WITH THE BOBCATS
SIS HOPKINS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL-STAR CAST
JOSEPH SANTLEY, Director
Screen Play by JACK TOWNLEY, MILT GROSS and EDWARD ELISCU
Original Story by F. McGREW WILLIS
A REPUBLIC PICTURE
IT'S A SUPER-COMEDY WITH MUSIC!

SAG Forbids Free Talent On Air Shows

(*Continued from page* 1)

called off, despite of the players' fight against free performances.

"We have made arrangements with the studios to preview their new pictures," he said. "The appearances of the players on the program are in the nature of exploitation for the pictures. The producers have pictures to sell and they think radio is an excellent medium for exploitation."

Hersholt had protested that the free appearances of the stars on the Lifebuoy programs would endanger the $10,000 weekly program which the Relief Fund presents on the same network for Gulf Oil.

Guild Ready to Act

Anold's letter to Hersholt said in part: "The Guild board of directors is prepared to bring charges against any member who gives a free radio performance unless that member has an individual contract requiring such performances to exploit pictures. In case of contracts of this type, the Guild is asking actors not to appear without written instructions from their producers. The Guild hopes to convince producers that there is a distinction between exploiting pictures and exploiting soap. In this fight for protection of actors, the Guild has the complete support of the American Federation of Radio Actors. AFRA will enforce its similar rule against free performances."

Marlene Dietrich and Bruce Cabot are to appear tomorrow night on the first Parsons-Lifebuoy program in a dramatization of Universal's "Flame of New Orleans." Paulette Goddard is set for the April 4 program with a version of "Pot o' Gold," and on April 11 Republic's "Sis Hopkins" will be previewed with Judy Canova tentatively set for the lead.

SAG's Warning

The Guild's warning to its star and feature player members reads in part: "Louella Parsons has entered into a contract to provide 'guest' talent on a radio program advertising Lifebuoy soap. Miss Parsons will be paid. Actors will not be paid their usual rates of compensation. Unless you have a contract specifically requiring free radio performances, this letter is your notice that you must not give such performances. If you do it will be necessary for the Guild to prefer charges against you which may lead to your suspension from the Guild or other disciplinary action. The Guild will carry on this fight as long as may be necessary to stop the evil of 'free talent' shows."

Woodell Heads NBC Short Wave Selling

John F. Royal, NBC vice-president in charge of international short wave, yesterday named Shirley F. Woodell as sales manager for that division. Woodell succeeds Lunsford P. Yandell, who has been transferred to Blue sales on special assignments. Woodell joined NBC as salesman in the international division last January after 12 years as advertising manager for Packard Motor Export Corp.

Off the Antenna

A TOTAL of 802 of the 893 standard broadcast stations in the United States will shift to new frequencies at 3 A. M. tomorrow. Simultaneously, stations in Canada, Cuba and Mexico will shift their frequencies.

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Purely Personal: *Ken R. Dyke, NBC sales promotion manager, will speak before the American Management Association at the Hotel Roosevelt, April 23, on "Radio Marketing", and before the Georgia Association of Broadcasters on "Sales and Promotion" June 14 in Macon, Ga. . . . A. B. Chamberlain, CBS engineer, will speak on international short wave at an Institute of Radio Engineers meeting in Boston today . . . Jimmy McClain will replace Lew Valentine as "Dr. I. Q." over NBC-Red beginning Monday . . . Dr. Franklin Dunham, NBC director of religious programs, has been granted a leave of absence to become executive director of the National Catholic Community Service.*

• • •

NBC has started a transcription series featuring war news commentary. The new show, called "The Face of the War—As Seen by Sam Cuff," will be transcribed twice weekly and air mailed to Western stations. Eighteen stations have already subscribed for the series, it is stated.

• • •

Building Goodwill: Len Daly of the United Artists foreign publicity Department will be interviewed over NBC short wave tonight on the topic "Behind the Screen in Hollywood." Daly will speak in Spanish and will be interviewed by Mary Spaulding and Olga Andre, Latin-American commentators . . . Vice-President Henry A. Wallace will be heard in Spanish over CBS short wave Sunday. Wallace has made a recording in translation of a speech he will deliver in Chicago on Sunday and the transcription will be broadcast just before his English speech is aired.

• • •

Program News: *As a further aid to the Defense Program, CBS on its weekly "Jobs for Defense" will provide a break in the program to permit a local station cut-in. During the pause, local opportunities for defense jobs or training will be described . . . Bert Lee will resume "Today's Baseball" over WHN Monday.*

Distributing Assets Of Transcontinental

WILMINGTON, March 27.—Chancellor W. W. Harrington in Chancery Court today ordered the initial distribution of assets of the defunct Transcontinental Broadcasting System, Inc., radio chain plan of Elliott Roosevelt.

The order disposes of $70,000 of the sole asset, which is $94,444.48 on deposit in the Farmers Bank. The amount will be shared by 19 holders of Class A shares and other creditors. Today's order was issued on the petition of Josiah Narvel, Jr., solicitor for the receivers. The order also sets April 16 as the date for the hearing of claims of creditors to which the receivers have filed exceptions.

Ruppel Is Due from Coast on Wednesday

Louis Ruppel, CBS director of publicity, will return from a month's vacation in Palm Springs, Cal., Wednesday. Before returning here Ruppel will visit the network's Hollywood and Chicago offices to discuss CBS policies in regard to publicity with heads of those offices.

WHOM Inaugurates Citizenship School

WHOM, which broadcasts programs in eight languages, has started a free naturalization school at its New York City studios. Charles Baltin will conduct the classes each night. Textbooks and the course itself will be free.

The course will consist of eight sessions, and WHOM will broadcast one each week. When the entire series is completed, it will be started again to make a continuing program. The plans were developed by Joseph Lang, WHOM general manager.

F M Broadcasters to To Discuss Network

The possibility of creating a network of FM stations will be considered at a closed session of broadcasters interested in the new medium Thursday at the Hotel Roosevelt here. The meeting will follow a general open session on FM which will start Wednesday morning and the annual meeting of FM Broadcasters, Inc., which will be held Wednesday afternoon.

Bell Lab Is Credited With Solving Disputes at Television Hearings

Bell Telephone Laboratories is credited in trade circles with having solved a number of disputed points and being responsible for the virtually unanimous agreement on them at the recent FCC television standards hearings in Washington. Several witnesses referred to the optical demonstrations of lines possible on various television frequencies conducted by the Bell Laboratories.

However, some Bell engineers are said to have thought that instead of clarifying the point, their demonstrations showed there was little to choose between the 441-line image previously in use and the 525-line now recommended.

New Restrictions Expected in India

Although new restrictions are expected to be imposed on the American film trade in India in the near future, there has been no official indication yet whether the regulation will be in the form of increased restrictions on film imports or the partial blocking of remittances, according to Harold Dudoff, Universal manager for India.

Dudoff concludes a home office visit today and will leave New York tomorrow for the Coast, en route to his headquarters at Bombay.

Last year the Indian Government ordered a 25 per cent curtailment of the average annual American motion picture imports in an effort to ease its foreign exchange difficulties. Recent Government overtures indicate that the restriction on film imports has not provided the Government with a full solution of its problem, and that new restrictive measures are to be expected. It is not known, Dudoff said, whether they will be in the form of a further reduction in the number of films which the distributors may bring into India or in the form of a restriction on currency remittances to New York. No monetary restrictions are imposed on the distributors there at present.

Dudoff reported that theatre business in his territory has been very good in past months. Empire troop movements to and through coastal Indian cities are considerable and have influenced business, he said.

Government Rests In Schenck Trial

Mathias F. Correa, U. S. District Attorney, stated yesterday at the close of the day's trial of Joseph M. Schenck that the Government's case was concluded unless something unforeseen should occur by Monday, next scheduled day of the trial. The statement came after cross-redirect examination of Lawrence W. Gibney, U. S. Treasury agent, was completed. A motion to dismiss the indictment is expected to follow the announcement that the Government rests its case.

Gibney stated that he had not investigated the books of 20th Century-Fox Film Corp. in 1937 to determine whether a payment of $469,640 made to Schenck that year by the company represented a dividend or a payment out of capital. Schenck has consistently contended that this payment was out of capital and was not taxable. The defendant contends that the Government owes him $165,000 on this payment. Gibney admitted that out of $356,000 spent by Schenck in 1937 the Government allowed $1,607 as deductible expenses.

English Studio Sues Olympic and Kandel

Olympic Pictures Corp., Feature Distributors, Inc., and Morris J. Kandel, Olympic president, were named defendants in a suit filed in the U. S. District Court yesterday by Twickenham Film Studios, Ltd. London, and Roddison Douglas Brewis, receiver of Twickenham, which seeks an injunction to restrain the defendants from distributing 30 pictures allegedly belonging to the plaintiffs.

'Men,' Stage Show $15,000, Milwaukee

MILWAUKEE, March 27.—"The best gross was taken by "Little Men" and a revue headed by Gypsy Rose Lee at the Riverside with $15,000. "Nice Girl?" and "Flight From Destiny" took $8,800 at the Warner.

Estimated receipts for the week ending March 18-20:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (40c-55c), 7 days, 2nd week. Gross: $8,500. (Average, $4.000)
"Little Men" (RKO)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Michael Todd's Gay New Orleans Revue headed by Gypsy Rose Lee. Gross: $15,000. (Average, $6,500)
"Virginia" (Para.)
"Life With Henry" (Para.)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,000. (Average, $1,500)
"Nice Girl" (Univ.)
"Flight From Destiny" (W. B.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $8,800. (Average, $4,500)
"Tobacco Road" (20th-Fox)
"Michael Shayne, Private Detective" (20th-Fox)
WISCONSIN—(3,200) (30c-40c-55c) 7 days, 2nd week. Gross: $5,800. (Average, $5,500)

'Lady Eve' Garners $16,500, Pittsburgh

PITTSBURGH, March 27.—"The Lady Eve" took $16,500 at Loew's Penn despite zero weather. "Tobacco Road" drew $9,000 at the Senator.

Estimated receipts for the week ending March 20:

"Fantasia" (Disney)
FULTON—(1,700) (75c-$1.10-$1.65) 7 days, 2nd week. Gross: $8,500. (Average, $5,000)
"The Lady Eve" (Para.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $16,500. (Average, $13,000)
"Strawberry Blonde" (W. B.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,400. (Average, $3,500)
"Tobacco Road" (20th-Fox)
SENATOR—(1,700) (28c-39c-55c) 7 days, Gross: $9,000.. (Average, $5,000)
"Footsteps in the Dark" (W. B.)
STANLEY — (3,600) (28c-44c-66c). On stage: Raymond Scott orchestra, Al Bernie, Gil and Bernice Maison, Jimmy Byrnes. 7 days. Gross: $17,000. (Average, $17,500)
"Flight from Destiny" (W. B.)
"Henry Aldrich" (Para.)
WARNER — (2,000) (28c-44c) 7 days. Gross: $4,800. (Average, $5,000)

'Hardy' Cleveland Winner at $15,000

CLEVELAND, March 27. — "Andy Hardy's Private Secretary" drew a strong $15,000 at Loew's State. "Victory," assisted by the "Vanities" on the RKO Palace stage, made $18,000.

Estimated receipts for the week ending March 20:

"Tobacco Road" (20th-Fox)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"Nice Girl?" (Univ.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $10,000. (Average, $11,000)
"Victory" (Para.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Earl Carroll's "Vanities" on stage. Gross: $18.000. (Average, $13.500)
"Andy Hardy's Private Secretary" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $15.000. (Average, $11,000)
"Come, Live With Me" (M-G-M)
LOEW'S STILLMAN—(1.900) (33c-39c-47c) 7 days. Gross: $4.500. (Average, $4,000)

Orders Cohn Testimony

N. Y. Supreme Court Justice Aaron J. Levy yesterday ordered Harry Cohn or any other Columbia Pictures officer to testify before trial on April 8 in reference to the $100,000 damage suit of Minnie Saltzman-Stevens, who claims her picture was used by Columbia without her permission in the film, "I'll Take Romance."

First Arbitration Appeal in Chicago; 7th Case in N. Y.

(Continued from page 1)

next Sept. 1, leaving him without jurisdiction in the case.

New York's seventh case was filed yesterday by Charles Meyerson, operator of the Lyric, Oyster Bay, L. I. It involves clearance and is against the five consenting companies. The complaint sets forth that the Glen Cove and Huntington theatres in the towns of the same names have 60 days' clearance over the Lyric. An arbitration decision that the Lyric is entitled to play day and date with them is asked.

The following hearing dates were set yesterday:

March 31—Buffalo. Genesee Theatre, Mt. Morris, N. Y., against 20th Century-Fox and Warners, on clearance; Weldon D. Smith, attorney, arbitrator.

April 1—Milwaukee. Rex Theatre, Evansville, Wis., against Paramount, clearance; Thomas P. Whelan, attorney, arbitrator.

April 4—Philadelphia. Highbridge Corp., operating the Florence at Florence, N. J., against Paramount, Loew's, 20th Century-Fox, RKO and Warners, and naming Ben Amsterdam's Fox at Burlington, N. J., on clearance; Robert J. Callahan, Philadelphia attorney, arbitrator.

April 7—Boston. Garbose Bros.' Athol Theatre, Athol, Mass., against 20th Century-Fox, RKO, Loew's, Paramount and Warners, on clearance; John Daly, attorney, arbitrator.

The Ellet Amusement Co.'s clearance complaint against the five consenting companies is scheduled for hearing in Cleveland today and the Midtown Theatre's clearance complaint against the five companies will be heard tomorrow in Detroit.

Walbrook Hearing Entering Fourth Day

WASHINGTON, March 27.—Final testimony in the Walbrook arbitration case on clearance is expected to be presented tomorrow. The hearing ended its third day today. The new evidence was concerned principally with the equipment and improvements of the Walbrook and its three Baltimore competitors, Durkee's Ambassador, Gwynn and Forrest, insofar as their physical appearance bear on the merits of the case.

Among the witnesses were Thomas D. Goldberg, operator of the Walbrook, and Baltimore architects, air conditioning experts and realty men.

Decision Due in Illinois Complaint

CHICAGO, March 27.—A decision in the "some run" arbitration case of E. F. Van Dermeer of Morris, Ill., against Loew's is expected within a few days, following the filing of final briefs here today by attorneys for both.

'Miss Bishop' Takes $5,000 In Seattle Lull

SEATTLE, March 27. — With three holdover films in town and competition from "Pygmalion" on the stage of the Metropolitan, no film exceeded average. "Cheers for Miss Bishop" and "Meet Boston Blackie" scored an average $5,000 at the Liberty.

Estimated receipts for the week ending March 21:

"Andy Hardy's Private Secretary" (M-G-M)
"Ride, Kelly, Ride" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,500. (Average, $4.000)
"Tobacco Road" (20th-Fox)
"Play Girl" (RKO)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,300. (Average, $7,000)
"Cheers for Miss Bishop" (U. A.)
"Meet Boston Blackie" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $5,000. (Average, $5,000)
"Western Union" (20th-Fox)
"Wild Man of Borneo" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 3rd week. Gross: $3,100. (Average, $4,000)
"Footsteps in the Dark" (W. B.)
"Here Comes Happiness" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,800. (Average, $6,000)
"Youth Will Be Served" (20th-Fox)
"Bowery Boy" (Republic)
PALOMAR—(1,500) (20c-30c-40c-50c) 7 days. "La Conga Fiesta Revue" on stage. Gross: $4,800. (Average, $5,000)
"A Girl, a Guy and a Gob" (U. A.)
"You're the One" (Para.)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $5,900. (Average, $6,000)

New Michigan Bill To Aim at Decree

DETROIT, March 27.—Representative Raymond J. Snow of Flint, whose recent bill to revise film booking methods in the state has been referred to committee, will introduce a companion measure in the near future which is expected to more closely resemble anti-consent decree legislation than his first, it was learned here today.

Details of the new measure were not learned.

Snow's first bill would give exhibitors an option on all features and would permit each to arrange his own program. It would do away with the prevailing custom of simultaneous exhibition of the same feature or features in adjacent theatres, thus upsetting the entire clearance structure in the state.

It will be several weeks before the bill is acted upon in committee, according to word received here from Lansing.

End Reel Duplication English Trade Asks

LONDON, March 27.—Representatives of English newsreels and the Cinematograph Exhibitors Association are expected to meet shortly with heads of the Films Division of the Ministry of Information, demanding assurances that there will be no repetition of the recent situation where a Ministry propaganda short duplicated material already covered in newsreels.

The exhibitors have expressed resentment at what they term exploitation of the theatres' screen time by the Ministry, which already has been assured of the good will of the theatres.

LADY FROM NEW ORLEANS
A REPUBLIC PICTURE

JULIE MIRBEAU: "I don't believe you love me at all"
BLACKIE WILLIAMS: "Please, go on! You look so lovely when you're indignant."

JOHN WAYNE • ONA MUNSON
RAY MIDDLETON • HENRY STEPHENSON
HELEN WESTLEY • Bernard Vorhaus—Director

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VC [illegible]9. NO. 62 NEW YORK, U.S.A., MONDAY, MARCH 31, 1941 TEN CENTS

Balaban Sets Goldenson As Theatre Head

Appointment Made at Va. Meeting of Partners

By SAM SHAIN

Barney Balaban, president of Paramount, has appointed Leonard Goldenson as head of the company's theatre department. Word which reached New York over the weekend disclosed that this appointment climaxed the important three-day meeting of Paramount's theatre associates and partners from around the country, held at Hot Springs, Va. The meetings ended Saturday.

Goldenson has been with Paramount about seven or eight years. He has served as assistant to Y. Frank Freeman, formerly in charge of Paramount theatres and now vice-president in charge of production. More recently Goldenson has been Balaban's assistant on theatre activities, being chief home office liaison official with the firm's theatre associates and partners.

The meeting concluded with a banquet Saturday night. Those attending

(*Continued on page* 8)

$25,300 Gross at Greek War Benefit

The "Greek Festival for Freedom" at the Radio City Music Hall Friday night grossed $25,300 from the sale of tickets, the theatre management disclosed over the weekend. The 6,000-seat house was completely sold out. Ticket prices ranged from $2 to $10.

In addition, $1,200 was derived from the sale of souvenir programs and several thousand dollars from program advertising.

The entertainment, starting at midnight, was under the auspices of the

(*Continued on page* 8)

MPPDA Officers to Be Reelected Today

Will H. Hays and all other officers of the MPPDA are scheduled to be reelected today at the annual meeting of the association's board of directors.

Hays will submit his annual report to the board, calling attention to the industry's part in national defense cooperation and touching upon developments in the industry's foreign operating problems.

Hays' new five-year contract, which was signed by him two months ago,

(*Continued on page* 8)

Schaefer Considers Roadshow for 'Kane'

George J. Schaefer, president of RKO, returned from Hollywood on Saturday to complete plans for the release of "Citizen Kane," an announcement on which he will in all probability make this week. The film is likely to be roadshown and in New York will go in on a two-a-day basis at the RKO Palace on Broadway.

William Fox Pleads Guilty In Fraud Case

PHILADELPHIA, March 30.—William Fox on Friday pleaded guilty to an indictment for conspiracy to obstruct justice and defraud the United States before Federal Judge Guy K. Bard here.

Sentence was deferred until April 14 by Judge Bard, saying he wanted time to study the indictment which grew out of charges involved in the bankruptcy proceedings of Fox's All-Continent Corp. and film enterprises.

Former United States Judge J. Warren Davis also was indicted. Fox was released in $5,000 bail.

William Fox, according to the *International Motion Picture Almanac,*

(*Continued on page* 8)

Block Booking and Divorcement Bills In Congress Again

WASHINGTON, March 30.—Controversies over block booking and theatre divorcement are promised another airing in Congress by a Senate judiciary subcommittee headed by Senator Harley M. Kilgore of West Virginia, successor on the committee to former Senator Matthew M. Neely.

The West Virginia Senator will take up where his colleague left off upon becoming Governor of his state, and shortly will call his subcommittee together to consider the two bills which Neely reintroduced before he left Washington.

There was some difference of opinion in the committee as to just how

(*Continued on page* 8)

Illinois Exhibitor Wins Arbitration

CHICAGO, March 30.—A decision ordering Loew's to offer its 1940-'41 product on "some run" was given on Friday by Charles Z. Henkle, arbitrator in the case of E. F. Van Derveer, operator of the State, Morris, Ill., who filed a complaint charging the company with granting Fred Anderson unreasonable clearance there.

Loew's was directed to make a run

(*Continued on page* 8)

Parsons Promises No More Free Talent Shows on Air

HOLLYWOOD, March 30. — Louella Parsons informed the Screen Actors Guild over the weekend that she will not conduct or participate in "free talent" shows after the 13-week period of her new program which she inaugurated for a soap sponsor on CBS Friday night.

Her assurance thus ended a week of controversy touched off by Jean Hersholt, president of the Motion Picture Relief Fund, who charged that Miss Parsons' "free talent" shows endangered the $10,000 weekly revenue received by the Guild for a series on the same network.

Following a conference with representatives of advertising agencies and the Screen Actors Guild, Miss Parsons sent the following letter to the Guild.

"Published statements that my radio

(*Continued on page* 8)

House Sold Out for 'Great Lie' Opening

LITTLETON, N. H., March 30.—Tickets have been sold out for the world premiere next Saturday evening at the Premier Theatre in this small New Hampshire town of the Warner film, "The Great Lie," starring Bette Davis. The opening will be part of a birthday celebration for Miss Davis, who has a home at Franconia, N. H., near here.

A torchlight parade, premiere ball and an address by Gov. Robert O. Blood of New Hampshire are on the weekend program. The governors of the other New England states also have been invited to attend. Proceeds of the opening night performance will go to the Littleton Hospital and Golden Rule farm for boys here.

Metro Plans 45 to 50 Films Next Season

To Hold Sales Meeting in July, Says Rodgers

By SHERWIN A. KANE

M-G-M will have 45 to 50 features on its new season production schedule and will hold a sales meeting in July immediately in advance of offering its first block-of-five under the new decree selling system, William F. Rodgers, general sales manager, said on Friday following his return from a vacation in the South.

W. F. Rodgers

Rodgers said he believes it will be necessary for the company to add a minimum of 30 men to the field sales

(*Continued on page* 8)

Films, Screen to Aid Defense Bond Sales

WASHINGTON, March 30.—A nationwide program using motion pictures and radio facilities to promote the sale of defense savings bonds and stamps has been completed by the Treasury Department with the cooperation of the two industries. The campaign will start officially May 1.

The motion picture work will be headed by Howard Dietz, director of advertising and publicity for Loew's, who will join the Treasury Department tomorrow on a part-time basis.

(*Continued on page* 8)

Piazza Named RKO Coast Casting Head

Ben Piazza has been appointed head of the casting and talent department of the RKO studios by George J. Schaefer, president, it was learned over the weekend. Piazza will assume his new duties on the Coast today. He formerly was studio talent executive for M-G-M.

According to the *International Motion Picture Almanac,* Piazza was on

(*Continued on page* 8)

Columbia Weighs 'Penny' Roadshow

Columbia executives, home office reports state, were called back from vacations over the weekend by Harry Cohn, president, to make new plans for "Penny Serenade," starring Irene Dunne and Cary Grant. It is claimed that the studio is weighing the possibility of roadshowing the picture.

Consequently, Nate Spingold left yesterday by plane for California. Jack Cohn, vice-president, returns today and Abe Montague, general sales manager, also is on his way back here for a general executive meeting in regard to the film.

7 U.A. Executives to Attend Sales Meets

Seven United Artists home office executives will participate in all of the company's five regional sales conventions to be held between April 14 and 29.

The group consists of Arthur W. Kelly, vice-president and distribution head, who will preside at the sessions; Harry Gold, vice-president and Eastern general sales manager; Haskell M. Masters, Western general sales manager; Paul Lazarus, manager of the contract department; Monroe Greenthal, advertising and publicity director; David E. Weshner, exploitation director, and Al Margolies, publicity director.

George Archibald, joint managing director with Teddy Carr for United Artists in Great Britain, is scheduled to arrive from London within the next two weeks, coming from Lisbon via clipper, and is expected to attend the first meeting, which will open in New York April 14. Following his return to England, Carr will come to New York for a home office visit.

Commons to Debate Sunday Show Move

LONDON, March 30.—Open debate is expected in the House of Commons within the next few days on the motion for greater liberalization of the laws governing the operation of entertainment places on Sunday. The matter will be open to vote of the Commons.

An opposition motion which was tabled, and which has the backing of 72 members of Commons, indicates to observers that a fight on the motion may be expected.

Briggs Returning Today

O. Henry Briggs, president of Producers Releasing Corp., will return to New York today from Chicago. Leon Fromkess, Bert Kulick and Sid Kulick, company officials, arrived here over the weekend.

MILLIONS
ARE WAITING TO SEE
The LAST MILE

Personal Mention

DEL GOODMAN, Canadian division manager for Paramount, left for Toronto over the weekend.

•

W. RAY JOHNSTON, Monogram president, left for the coast by train Saturday.

•

ROBERT LYNCH, M-G-M branch manager in Philadelphia, marked his 25th year with the company last week.

•

DAVE MILLER, Universal manager in Cleveland, is en route to Florida for a two-week vacation with Mrs. Miller.

•

STEVEN BARUTIO, Warner district manager in Philadelphia, has returned from Florida.

•

WILBUR M. PETERSON, operator of the Orpheum in Somerville, Mass., is the father of a boy, born last week.

•

SAMUEL ROSEN, Monogram Philadelphia manager, and MRS. ROSEN, have returned from Florida.

•

WILLIAM HIRSH, manager of the Century and Spruce Theatres in Philadelphia, is the father of a daughter, born last week.

HARRY BUXBAUM, 20th Century-Fox New York exchange manager, returned Friday from Miami with Mrs. Buxbaum and their daughter.

•

E. HENRY LEWIS, Eastern casting representative for the William Morris Agency, will leave for Hollywood Friday.

•

WILLIAM R. WEAVER, Hollywood editor of Quigley Publications, left over the weekend for several weeks' stay in the East.

•

FREDERICK G. MAGEE, budget director of Ross Federal Service, and ALICE C. HESLIN were married Saturday.

•

SAMUEL BENOFF, manager of the West Allegheny Theatre, Philadelphia, is the father of a daughter.

•

BUD FREEMAN, manager of the Philadelphia Grand, has returned to his post after an operation at Mt. Sinai Hospital, Philadelphia.

•

GEORGE LEBLANC, Altec Service representative in Waterloo, Ia., is the father of a son.

Para. Sets Campaign For Benchley Short

A national advertising-merchandising campaign has been arranged by Paramount with the *Saturday Evening Post* on "The Forgotten Man," one-reel comedy starring Robert Benchley, which will be released in June.

Benchley has been selected by the National Father's Day Council as the "typical father of 1941," for which he will receive a trophy in connection with a screening of the subject at a Hotel Pennsylvania luncheon on Wednesday.

The *Saturday Evening Post,* in the issue of June 7, will carry a full-page ad on the short and Father's Day. Retailers will receive a display and merchandise kit. Postal Telegraph is participating with blanks featuring a Father's Day greeting by Benchley.

'Fantasia' Price Cut For Uniformed Men

The Broadway Theatre, where Walt Disney's "Fantasia" is continuing its indefinite engagement, today will inaugurate a policy of half-price admission to all service men in uniform. The low rate will be in effect from Monday through Friday, inclusive.

The Disney studio on the Coast is turning out insignia for the U. S. armed forces for use on planes, torpedo boats and tanks, as well as similar sketches for the RAF in England.

Griffiths Resigns From British Para.

LONDON, March 30.—D. E. Griffiths, general sales manager for Paramount in Great Britain, resigned yesterday. It was reported that differences over sales policy arose. Griffiths has been in distribution here since 1926, when he started with First National.

Empire Universal Meeting Under Way

TORONTO, March 30.—James R. Grainger, Republic president, was guest of honor Friday night at a banquet of Empire Universal Films, Ltd., at the Royal York Hotel here. N. L. Nathanson, president of Famous Players Canadian, and many other film executives attended.

The banquet opened the company's annual meeting. Saturday's session was devoted to British product, with A. J. Laurie, president of Esquire Films, Ltd., giving a special message. The meeting, under the direction of Oscar Hanson, president, will continue through Tuesday.

Booker Awards Set In Col. Sales Drive

Bookers and accessory managers will share in a group of awards in Columbia's "Exhibitor Good Will" sales drive now in progress. Bookers awards will be based on short subjects and serials billings, while those for accessory managers will be for increases in billings in their departments.

Bookers in the six leading branches will share in extra cash awards and special gifts, while special awards will go to the 12 accessory managers showing the greatest improvement over quotas in their billings.

Studio Wage-Hour Hearing Concluded

LOS ANGELES, March 30.—Hearing of union and producer protests on classification of studio employes under the wage-hour act ended here Friday, with Examiner Merle Vincent announcing a three-week period for the filing of briefs to support testimony presented. Testimony given at the final session dealt with costumers, fitters, grips, gaffers and electricians.

W. B. Offers to Show Nazis 'Underground'

March 30.—Warners over the weekend made an offer to Capt. Fritz Wiedeman, German consul at San Francisco, to show "Underground," new film about anti-Nazi activities in Germany, to 300 sailors of the liner *Columbia,* now interned in New Mexico, and make the sailors' comments available to the Ameri[illegible] press. The studio made [illegible] offer following the consu[illegible] charge that American newspapers are telling only one side of the war.

Set Club Fund Drive Deals in Milwaukee

MILWAUKEE, March 30.—To eliminate duplication of effort in raising milk funds for undernourished children, the Variety Club of Milwaukee and the Milwaukee Junior Chamber of Commerce Milk Fund, Inc., have signed an agreement whereby the former will organize a corporation immediately and launch a drive for funds.

On Sept. 1 the net contributions available will be audited and if they total more than $5,000, the Milwaukee Junior Chamber of Commerce Milk Fund, Inc., will surrender its charter and cease activity. If they are less than $5,000, the Variety Club will pay over to the treasurer of the other corporation all the funds it has collected.

Douglas Yates With Army Signal Corps

HOLLYWOOD, March 30.—Douglas Yates, son of H. J. Yates, president of Consolidated Film Industries, over the weekend resigned as assistant to Albert J. Cohen, Republic producer, to report for a year's duty with the film unit of the Army Signal Corps at Wright Field, Dayton, Ohio.

Wins 'Voyage' Award

PHILADELPHIA, March 30.—Sam Teitlebaum, manager of the Warner Commodore here, has been awarded a watch, the prize in an exploitation and gross contest held here on the Wanger-United Artists film, "The Long Voyage Home." Walter Wanger offered the prize.

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Equity Asks Survey Into Employment

The quarterly membership meeting of Actors Equity held Friday at the Hotel Astor adopted a resolution asking the Equity council to undertake an investigation into employment statistics of actors and their relation to the number of members admitted to the union. About 300 members atte[illegible] members voted a resolution of thanks to Alfred Harding for his development of a plan whereby high school students will be admitted to to special matinees at 25 cents per ticket for the purpose of building a future audience for the legitimate theatre.

In addition, the meeting once again called on the council to eliminate the exclusive service clause from the standard contract and place the burden on the producer to demand the inclusion of such clause. A similar resolution was adopted at the last quarterly meeting but the council refused to enact it.

Robert T. Haines, a member of the council, presided during the early part of the meeting and Bert Lytell, president, took over later. Six members were elected to the nominating committee and, together with the three members selected by the council, will draw a slate for the elections at the annual meeting in June.

Drama Guild Seeks Trust Suit Dismissal

The Dramatists' Guild on Friday filed application in N. Y. Supreme Court to dismiss the New York anti-trust suit brought against it by the League of New York Theatres. The application, based on the ground that the complaint fails to state a cause of action, will be heard on April 7.

The League's suit, brought under the New York anti-trust laws, charges the guild with imposing arbitrary terms in its new basic pact governing the production of plays, which went into effect March 1. The suit claims the members of the guild combined illegally, and are threatening to drive the stage managers out of business.

20th Century Circuit Takes Ottawa House

OTTAWA, March 30.—The lease on the Avalon here, now held by Famous Players Canadian Corp., and which expires tomorrow, will be taken over by Twentieth Century Theatres, Ltd. The house is owned by the Nolan interests.

Gilbert F. Sunderland, assistant manager of the Capitol here, will leave Famous Players to become manager of the Avalon for Twentieth Century. Robert Gellatly, supervisor of the Avalon, is taking over the management of the Niola and Rexy Theatres here for the Nolan interests.

Liberalize Operator License in Wis. City

FOND DU LAC, Wis., March 30.—The City Council has approved a recommendation of the Municipal Board of Electrical Examiners for an amendment to the city electrical ordinance which would exempt motion picture projectionists from the provision of the ordinance requiring them to have an electrical license.

Key Grosses Hold Levels; $1,614,400 for 154 Houses

THEATRE receipts in recent weeks reflected the effect of bad Winter weather, which prevented grosses in major cities from moving upward to any great extent, as compared with earlier weeks. However, grosses generally held their own.

A total of 154 theatres in about 20 cities reported an aggregate gross of $1,614,400 for the most recent week, ending March 21-22, according to MOTION PICTURE DAILY's compilation from weekly box-office reports of key city theatres. The week ending Jan. 31-Feb. 1 showed a total of $1,681,700 from 151 houses, highest since the week ending Jan. 3-4, including the New Year holiday.

The following tabulation indicates the total gross each week and the number of theatres reporting since the beginning of the current season, last September:

Week Ending	No. of Theatres	Total Gross
Sept. 6-7, 1940	131	$1,545,900
Sept. 13-14	132	1,482,800
Sept. 20-21	136	1,343,800
Sept. 27-28	130	1,255,400
Oct. 4-5	127	1,264,300
Oct. 11-12	130	1,360,900
Oct. 18-19	131	1,359,400
Oct. 25-26	136	1,383,600
Nov. 1-2	131	1,302,600
Nov. 8-9	134	1,533,000
Nov. 15-16	126	1,285,000
Nov. 22-23	132	1,351,800
Nov. 29-30	136	1,446,000
Dec. 6-7	137	1,386,900
Dec. 13-14	133	1,253,200
Dec. 20-21	126	955,500
Dec. 27-28	128	1,106,500
Jan. 3-4, 1941	139	1,723,700
Jan. 10-11	140	1,697,500
Jan. 17-18	159	1,644,000
Jan. 24-25	150	1,624,700
Jan. 31-Feb. 1	151	1,681,700
Feb. 7-8	146	1,634,600
Feb. 14-15	144	1,447,400
Feb. 21-22	144	1,422,000
Feb. 28-March 1	146	1,601,900
March 7-8	153	1,488,500
March 14-15	162	1,532,600
March 21-22	154	1,614,400

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180 of 256 Turkish Films from America

WASHINGTON, March 30.—Of the 256 features exhibited in Turkey during 1940, 180 were from the United States, according to a report by the U. S. Department of Commerce. Of the remainder, 50 were French, seven Italian, five German, four Egyptian, four Turkish, three English, two Russian and one Spanish.

The early part of the war had little effect on the Turkish film market, according to the report, but subsequent to the entrance of Italy into the conflict and the defeat of France, supplies were cut off to a large extent. However, it was estimated sufficient films were on hand to last through the greater part of the 1940-'41 season. Partial mobilization has served to cut theatre receipts to a certain extent as compared to 1939. With more severe censorship restrictions last year, 15 films were banned and many were subject to severe cutting. There are only about 155 theatres in Turkey, it is estimated.

Circuit Net $35,637

TORONTO, March 30.—Hamilton United Theatres, Ltd., has reported net income for 1940 of $35,637, as compared to net income of $48,196 for the previous year.

Majors Defendants In Ga. Trust Action

VALDOSTA, Ga., March 30.—Martin Theatres, Inc., a Georgia circuit, is defendant in a $105,000 damage suit filed by Southland Theatres, Inc., in U. S. District Court here. Also named as defendants are Loew's, 20th Century-Fox, RKO and Columbia.

Southland's suit, among other allegations, charges monopoly and that the defendants allegedly conspired to prevent the plaintiff from obtaining films for the Grand Theatre in Valdosta.

John I. Kelley, Atlanta attorney, and Franklin & Eberhardt of Valdosta represent the plaintiff.

N. Y. Bill Sets Fees For 16mm. Licenses

ALBANY, March 30.—Senator William Bewley, chairman of the Taxation Committee of the New York Senate, has introduced a bill which would provide the same fees for censor review of films of less than 35mm. width as is now provided for 35mm.

The bill would amend the laws of 1927, which provide a tax of $3 per 1,000 feet on original film and $2 per 1,000 feet on additional prints when submitted for licensing, to include 16mm. film.

'Hamilton' Is Los Angeles Hit at $11,200

LOS ANGELES, March 30.—"That Hamilton Woman" at the 4 Star drew $11,200, including the charity opening. "A Girl, a Guy and a Gob" and "Ellery Queen's Penthouse Mystery" drew $9,200 at the Hillstreet and $8,800 at the Pantages.

Estimated receipts for the week ending March 26:

"So Ends Our Night" (U. A.)
"Golden Hoofs" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $7,800. (Average, $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 8th week. Gross: $12,000. (Average $17,000)
"That Hamilton Woman" (U. A.)
4 STAR—(900) (44c-55c) 7 days, including charity premiere. Gross: $11,200. (Average, $3,250)
"A Girl, a Guy, and a Gob" (RKO)
"Ellery Queen's Penthouse Mystery" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,200. (Average, $6,500)
"So Ends Our Night" (U. A.)
"Golden Hoofs" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $8,500. (Average, $14,000)
"A Girl, a Guy, and a Gob" (RKO)
"Ellery Queen's Penthouse Mystery" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,800. (Average, $7,000)
"The Lady Eve" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, 2nd week. Stage: "Artist's Models of 1941." Gross: $14,000. (Average, $18,000)
"Meet John Doe"
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. 2nd week. Gross: $15,300. (Average, $14,000)
"Meet John Doe"
WARNER BROS. (Hollywood) — (3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $14,200. (Average, $12,000)

'Free,' Stage Show $14,300, Milwaukee

MILWAUKEE, March 30.—Best of the week was the Fox Wisconsin show, headed by the Four Ink Spots on the stage and the film "Free and Easy," taking $14,300. "The Sea Wolf" and "Scattergood Baines" drew $7,700 at the Warner.

Estimated receipts for the week ending March 25-27:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (40c-55c) 7 days, 3rd week. Gross: $5,600. (Average, $4,000)
"A Man Betrayed" (Rep.)
RIVERSIDE—(2,700) (28c-44c) 7 days. Stage: "Gay 90's Revue." Gross: $8,000. (Average, $6,500)
"Virginia" (Para.)
"Tobacco Road" (20th-Fox)
STRAND—(1,400) (30c-40c-55c) 7 days Gross: $1,500. (Average, $1,500)
"The Sea Wolf" (W. B.)
"Scattergood Baines" (RKO)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $7,700. (Average, $4,500)
"Free and Easy" (M-G-M)
WISCONSIN—(3,200) (40c-55c) 7 days. Stage: The Four Ink Spots. Gross: $14,300. (Average, $5,500)

New Wis. Film Tax Bill Is Introduced

MADISON, WIS., March 30.—A second bill to tax motion picture films has been introduced in the Wisconsin legislature, by Senator Taylor G. Brown. The measure provides a 50-cent assessment for each 1,000 feet of film or fraction thereof. An Assembly measure introduced earlier in the week by Assemblyman Leland S. McParland calls for a 10 per cent tax on film rentals in excess of $500.

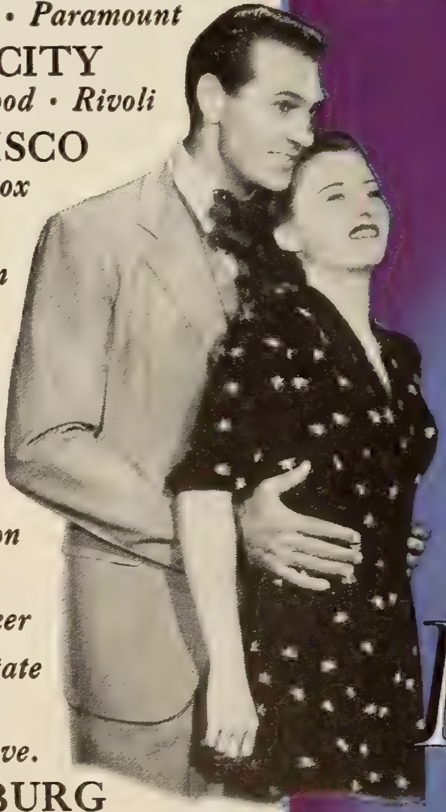
"A HURRICANE OF HAPP

FINEST, BAR NONE...

MEET J

North, South, East, West–Engagements Extended Everywhere!

LOS ANGELES	*Hollywood • Downtown*
MIAMI BEACH	*Beach* *Sheridan • Paramount*
NEW YORK CITY	*Hollywood • Rivoli*
SAN FRANCISCO	*Warfield • Fox*
OKLAHOMA CITY	*Criterion*
RICHMOND	*Colonial*
DAYTON	*Victory*
LOUISVILLE	*Mary Anderson*
NASHVILLE	*Knickerbocker*
TAMPA	*State*
SEATTLE	*Orpheum • 5th Ave.*
ST. PETERSBURG	*Playhouse*
SPRINGFIELD, ILL.	*Roxy*
HARRISBURG	*State*
LINCOLN	*Lincoln*
NORFOLK	*Norva*
PROVIDENCE	*Majestic*
INDIANAPOLIS	*Circle*
ORLANDO	*Vogue*



FRANK CAPRA'S
PRODUCTION FOR 19

GARY COOPER · BARBARA STANWYC

in

MEET JOHN D

with

EDWARD ARNOLD · WALTER BRENNA
Spring Byington • James Gleason and Gene Lockhart

This Screen Play, as were most of the major successes of Frank Capra, is by

ROBERT RISKIN

Directed by Frank Capra
Distributed by Vitagraph, Inc.

GO-LUCKY FUN! CAPRA'S
T EVEN 'MR. DEEDS'!"

N.Y. World-Telegram

HN DOE

DOUGH!

"Irresistible entertainment! You can't ask more from any picture!" —*N.Y. Herald-Tribune*

"One of the most important pictures of 1941! The best and most human Capra vein." —*N. Y. Eve. Post*

"A great picture. Gary Cooper has never given a finer performance on the screen!" —*N. Y. Daily News*

"Heartily suggest you make John Doe's acquaintance at once! The hardest-hitting picture Capra has yet made." —*N.Y. Times*

"Has you gripping the arms of your chair. Hits the sublime heights. A film milestone!" —*N.Y. Daily Mirror*

"A sure shot for the year's best 10 list and a nominee for the Academy Award." —*The Daily Oklahoman, Oklahoma City*

"Meet John Doe—meet him by all means!" —*Miami Daily News*

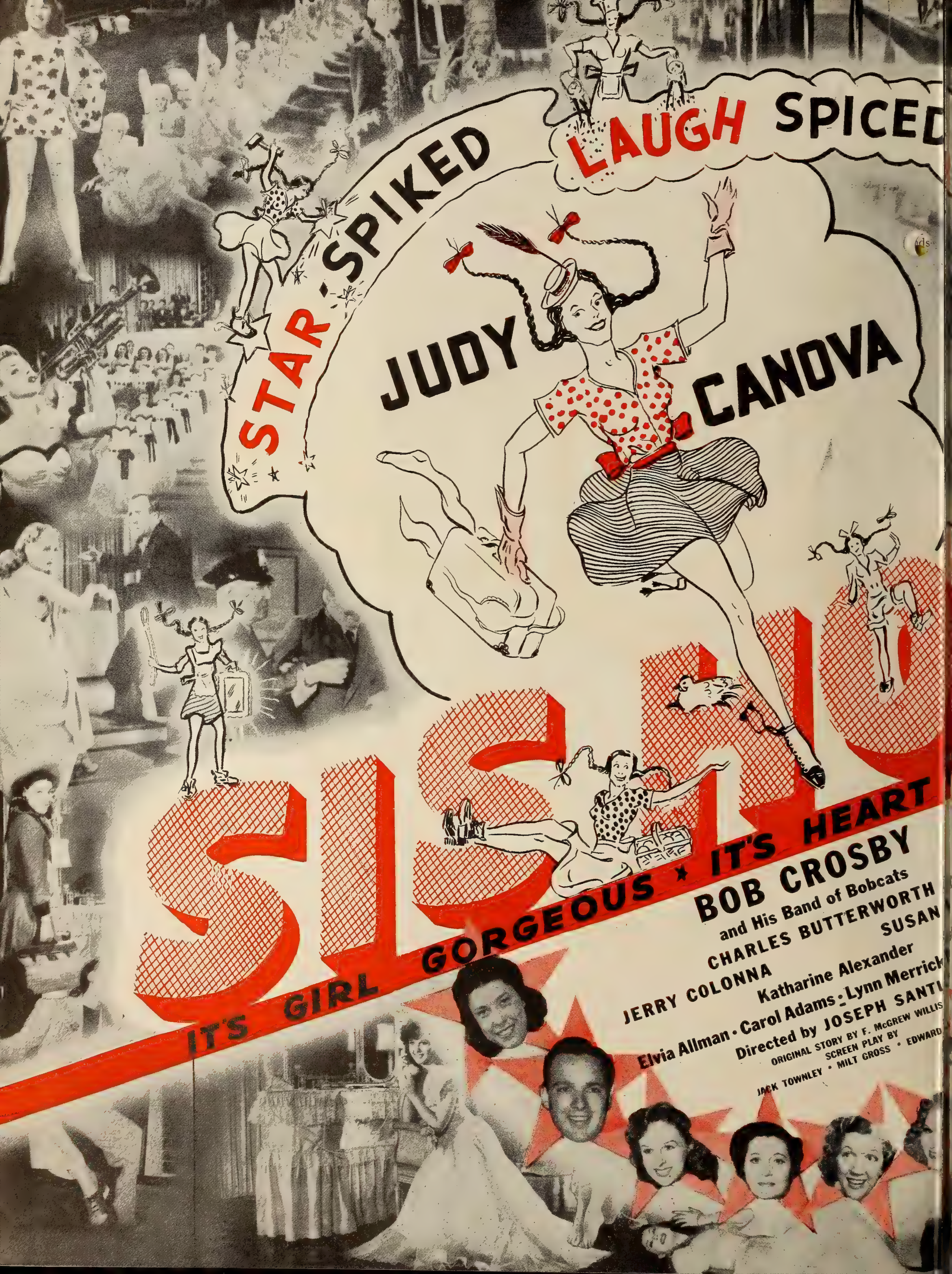
PLAY IT NOW!

PLAY IT UP!

YOU'LL PLAY IT LONG!

Produced at the Studios of

WARNER BROS.


STAR-SPIKED
LAUGH SPICED
JUDY CANOVA
SIS HO
IT'S GIRL GORGEOUS ★ IT'S HEART
BOB CROSBY
and His Band of Bobcats
CHARLES BUTTERWORTH
SUSAN
JERRY COLONNA
Katharine Alexander
Elvia Allman · Carol Adams · Lynn Merrick
Directed by JOSEPH SANTL
ORIGINAL STORY BY F. McGREW WILLIS
SCREEN PLAY BY
JACK TOWNLEY · MILT GROSS · EDWARD

A
Republic
PICTURE
ELODY BLENDED
KINS
EERING ★ IT'S A JACKPOT OF JOY
D
slee

Metro Plans 45 to 50 Films Next Season

(Continued from page 1)

force, or an average of one salesman for each exchange, in order to sell and service accounts effectively under the decree. He emphasized that these appointments would be made from within the organization. In most cases, he believes, bookers will merit the promotions, with other exchange personnel advanced to replace them.

M-G-M will release substantially the same number of features next season as it has for the past several years. Rodgers pointed out that there is no apparent advantage in offering an increased number of pictures under the decree, and that since the studio is geared to produce the estimated number conveniently, the company sees no reason for reducing the average annual schedule.

Rodgers said it had not been decided whether the company would hold more than one meeting in July or whether salesmen as well as managers will attend. Final policies and instructions on the new selling practice and the early product to be available for the first blocks-of-five will be discussed at the meeting.

The M-G-M sales force has improved its record of last season in number of accounts sold, and with the present total nearing 11,000 accounts a new all-time high for the company has already been set, Rodgers said.

The M-G-M sales head has decided not to set up a separate selling organization for the company's short subjects, and does not intend to begin selling the shorts earlier because of the decree, as some companies are doing.

Rodgers reported that reaction to his letter to exhibitors setting forth the company's policies under the consent decree has been highly gratifying, and won an immediate appreciative response from representative exhibitors in all sections of the country.

He expects to leave for the Coast in a few weeks for final conferences on current season's product and to complete plans for the first of the new season's feature blocks.

MPPDA Officers to Be Reelected Today

(Continued from page 1)

has already been ratified by the board.

Nate J. Blumberg of Universal, and Harry M. Warner are the only company presidents not expected at today's meeting, both being out of town. Barney Balaban, Paramount; George J. Schaefer, RKO, and Sidney R. Kent, 20th Century-Fox, are expected to return to New York today in time to attend the meeting.

Ice Show in Rochester

ROCHESTER, March 30.—The National Ice Revue will play the Sports Arena here for nine days beginning April 12. The Shrine is sponsoring the show.

Parsons Promises No More Free Talent Shows on Air

(Continued from page 1)

program might affect the Motion Picture Relief Fund have been a cause of great unhappiness to me.

"For more than 25 years I have worked consistently to further the best interests of the industry and its people, including the Motion Picture Relief Fund.

Says Exploitation Welcomed

"Before my radio contract was signed I received full assurance from the motion picture producers that they welcomed the opportunity for this valuable exploitation of their pictures on the type of program I originated years ago, and I so assured my sponsors. Also, the producers informed me that most of their players were under contract to aid in radio exploitation of their productions.

"Not until I received this assurance was the contract signed. However, in view of the objections from the Guild and the Motion Picture Relief Fund, I have today notified my sponsors that at the end of the 13 weeks to which I am legally committed and for which time has been purchased and plans made, I will not continue with any radio show which conflicts with the talent regulations of the Guild."

Kenneth Thomson, executive secretary of the Screen Actors Guild, in reply said in part: "The SAG will continue its effort to eliminate all commercially sponsored 'free talent' radio performances, no matter who conducts them, because they violate, we believe, the best interests of all factors in the industry. The Guild rule which prohibits free radio performances and which particularly applies to free lance actors will be enforced at all times."

Illinois Exhibitor Wins Arbitration

(Continued from page 1)

available to the State and to pay the costs of the arbitration hearing, held here March 15. This was the first complaint filed and arbitrated here under the Federal consent decree.

The arbitrator decided that Loew's had violated Section 6 of the decree in refusing to license its pictures to the State. He ordered that the run shall be designated by Loew's upon its terms and conditions.

Loew's Offered Run

Prior to the hearing, according to company officials, Loew's had offered Van Derveer a run for the State and a reduction in clearance from 60 to 21 days, but Van Derveer rejected the offer and insisted on bringing the complaint to a hearing.

Sam Shirley, acting M-G-M branch manager here, and John Kemptgen, salesman for the company, testified at the hearing that it is Loew's established policy not to license second runs in towns the size of Morris, which has a population of 5,500, as it tended to reduce the first run revenue. Van Derveer had been offered third run, it was testified.

Evansville, Wis., Hearing Delayed

MILWAUKEE, March 30.—Hearing of an arbitration complaint on clearance brought by the Evansville Theatre, Evansville, Wis., against Paramount, which was scheduled for Tuesday, has been postponed to April 22 because of the unavailability of needed witnesses.

Piazza Named RKO Coast Casting Head

(Continued from page 1)

the stage at 17, and in 1909 toured with repertoire shows. He served 10 years with the late Martin Beck and Orpheum Theatres Circuit, managing Orpheum houses in New Orleans, Minneapolis, and Los Angeles. In 1928-29, he was general manager of B. F. Keith Enterprises and Circuit, and was general manager of the RKO vaudeville department in 1929. He is a former vice-president of Major Pictures Corp.

Block Booking and 'Divorce' on Again

(Continued from page 1)

far the subcommittee would go. Senator Frederick Van Nuys, chairman of the full committee, declared it would consider only the divorce bill, while Senator Kilgore insisted both block booking and divorce would be studied.

There has been no meeting of the subcommittee as yet, but it is expected its members will be called together shortly to fix a date for hearings.

Films, Screen to Aid Defense Bond Sales

(Continued from page 1)

The radio programs will be handled by Vincent Callahan, formerly general manager of Station WBZ, Boston, whose first interview feature will be put on the air by some 70 stations within a week.

Production of a series of shorts, the first expected to be available by May 1, has been promised the Department by the film industry, it was disclosed. Details of the series have not been worked out but the groundwork has been laid. Dietz will carry the program through, as liaison between the Government and the producers.

Treasury officials said the cooperation offered by the film and broadcasting industries is "most encouraging." The film industry's national defense committee and individual companies have offered their cooperation, it was said.

Assurance has been given the Treasury that virtually every station in the country will cooperate in publicizing the defense financing. The cooperation of the networks and stations has been solicited in letters from Secretary Morgenthau.

It is planned to broadcast brief introductory programs prior to the big drive, and with the official start of the campaign the networks will air "round table" discussions on Government financing.

William Fox Pleads Guilty In Fraud Case

(Continued from page 1)

was born Jan. 1, 1879 in Tulchva, Hungary, and attended public school in New York. He entered the [illegible]tion picture business in 1904 [illegible] theatre manager and subsequently leased two theatres in New York City. He became a distributor 27 years ago when he organized the Greater New York Film Rental Co., which specialized in two-reel subjects.

Fox formed the Box Office Attractions company for the purpose of producing his own films and continued to distribute the product of other producers. Later he organized Fox Film Corp., which absorbed Box Office Attractions.

Fox expanded the new company into a major producing, distributing and exhibiting organization. In 1929 he purchased a controlling interest in Loew's, Inc., which carried with it M-G-M as well. Also in that year he purchased a 45 per cent interest in Gaumont British.

In 1930, following the collapse of the stock market, Fox sold control of Fox Films and Fox Theatres to Harley L. Clarke, Chicago public utility magnate, after a long drawn-out struggle.

Since then Fox has been inactive personally in the industry but has carried on various investments.

$25,300 Gross at Greek War Benefit

(Continued from page 1)

Greek War Relief Association. The opening address was given by W. G. Van Schmus, managing director of the Music Hall. The show was produced by Marvin H. Schenck of Loew's. Leon Leonidoff was stage director.

$1,500 Raised at Providence Benefit

PROVIDENCE, March 30.—Theatres in the Providence metropolitan area raised $1,500 for Greek war relief at a benefit given Friday night at Loew's State. Edward M. Fay headed the exhibitors' committee, with William Pragg as secretary-treasurer.

The program consisted of 12 vaudeville acts contributed by Fay's and Metropolitan theatres and the Providence Biltmore, a preview of "The Trial of Mary Dugan," and a March of Time subject dealing with the war in Greece. Martin Toohey, manager of the Leroy, Pawtucket, was master of ceremonies.

Goldenson Appointed Para. Theatre Head

(Continued from page 1)

left yesterday. Among company officials in attendance were Barney Balaban, Stanton Griffis, Neil Agnew, Leonard Goldenson, Leon Netter, Robert Gillham, Y. Frank Freeman, Sam Dembow and Robert Weitman.

Operating and general industry problems were discussed at the meeting.

U. S. Majors Aiding English Raid Relief

London, March 30.—Seven major American companies here have contributed $1,250 to the mayors of each of three blitzkrieged cities, Plymouth, Glasgow and Liverpool, for the relief of air raid victims.

Showmanship Flashes . . .

Sets Up Canteen to Plug 'Buck Privates'

READING, Pa., March 30.—C. G. Keeney, manager of the Park, set up a "canteen" in the lobby for "Buck Privates." Arranging a tiein with a local bakery, an "Army Hostess" distributed 12,000 doughnuts to patrons. In addition, Keeney arranged a parade through the center city streets by the Veterans of the Foreign Wars for opening night, the band serenading in front of the theatre.

Barber Shop Quartette Contest for 'Blonde'

DETROIT, March 30.—Detroit Barber Shop Quartettes competed for a silver cup in a lobby contest at the Michigan Theatre for four nights as an exploitation stunt for "Strawberry Blonde." Robert P. Corbin, manager of the theatre, arranged the stunt.

'Invisible' Copy Used On 'Invisible Woman'

PHILADELPHIA, March 30.—Invisible copy was used by Jack Singer, assistant manager of Warners' Sedgewick, for "The Invisible Woman." Special blue cards, purchased at a novelty shop, carried teaser copy. When the card was dipped in water, picture message and playdates appeared.

School Cheer Contest For 'Andy Hardy' Film

COLUMBUS, O., March 30.—Russell Bovim, manager of Loew's Ohio, staged a High School Night on the day the film opened. High school students throughout the city were invited, and a cheer-leading contest was held. The five who withstood elimination were presented on the stage by Dick Overmyer, Ohio State University varsity cheer-leader. The winner, determined by audience applause, was presented with an engraved loving cup.

Col. in Victor Tieup On 'Penny Serenade'

Columbia has arranged a tieup with RCA-Victor Co. on behalf of "Penny Serenade." The tieup covers national magazines and newspapers, billboards, radio and other media, with the campaign based on the recordings of the musical numbers from the picture.

Cowboy Stunt Used On Autry Picture

VAN WERT, O., March 30.—Carl Moore of the Ohio Theatre here, in selling the Gene Autry film, "Back in the Saddle," used a "mysterious cowboy" stunt, advertising cooperatively in local papers. Tickets were given to persons correctly identifying a man walking the streets, as "the mysterious cowboy."

Feature Review

"City of Missing Girls"

(Select Attractions)

A SUBJECT definitely unsuitable for the family, this minor production presents a story of the disappearance of young girls, with vice clearly implied. The poor presentation fails to sustain interest.

The principal players are H. B. Warner, John Archer and Astrid Allwyn, who have some marquee value. However, the youthful Archer is miscast as an assistant district attorney while Warner, too, is incongruous in a detective role, far from the sedate character he has portrayed in his many previous assignments. Neither is very convincing.

The tale is extremely melodramatic, telling of Archer's investigation of the disappearances and finally, with the help of Warner and Miss Allwyn, a reporter, the apprehension of those responsible. The theme is emphasized in the lobby displays at the New York Theatre.

Running time, 72 minutes. "A."*

**"A" denotes adult classification.*

New Haven Gives 'Sea Wolf' $6,700

NEW HAVEN, March 30.—"The Sea Wolf" and "Here Comes Happiness" at the Roger Sherman took $6,700. "The Lady Eve" and "Murder Among Friends" at the Paramount took $6,500, and the show holds over for a second week.

Estimated receipts for the week ending March 27:

"Mr. and Mrs. Smith" (RKO)
"Trial of Mary Dugan" (M-G-M)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,300. (Average, $2,700)

"The Great Dictator" (U. A.)
"Sleepers West" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,000. (Average, $8,000)

"The Lady Eve" (Para.)
"Murder Among Friends" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $6,500. (Average, $4,500)

"The Sea Wolf" (W. G.)
"Here Comes Happiness" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,700. (Average, $5,000)

Film Houses Exempt From Iowa Tax Bill

DES MOINES, March 30.—The Iowa House has passed a measure to impose a general admission tax on all amusements on a graduated scale, but at the last moment an amendment was adopted exempting film theatres from the tax.

The House also has passed a measure levying a license fee of $25 a year on coin music machines, in addition to earlier passage of bills providing $100 license fees for coin film machines, and $50 license fees for pinball machines. All the measures now go to the Senate.

Open 24 Hours Daily

PHILADELPHIA, March 30.—Following the gutting by fire of the Warner Family Theatre, which operated 24 hours a day, the circuit has turned the Savoy into a round-the-clock house. William Goldman's New Theatre here recently inaugurated the same policy.

Sues W. B. Over Film

Irving Gaumont has filed a $50,000 damage and injunction suit in New York Supreme Court against Warners. The plaintiff claims the plagiarism of his story, "You've Got to Swing It," in the film, "My Love Came Back."

Tracy, Loy Eastbound

Loew's reports that Spencer Tracy, Myrna Loy and Arthur Hornblow will visit New York during April after completing work on their respective picture assignments.

'Dictator' Strong $15,000, Baltimore

BALTIMORE, March 30.—Warmer weather tended to offset a pre-Easter slump. "The Great Dictator" drew a strong $15,000 at the Century. "The Sea Wolf" took the same amount at the Stanley.

Estimated receipts for the week ending March 27:

"The Great Dictator" (U. A.)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $15,000. (Average, $10,000)

"The Lady Eve" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $10,000. (Average, $9,000)

"The Trial of Mary Dugan" (M-G-M)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $9,000. (Average, $7,000)

"The Sea Wolf" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $15,000. (Average, $12,000)

"A Girl, a Guy and a Gob" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show with Milt Herth Trio and the Radio Aces. Gross: $15,000. (Average, $14,000)

No Farewell

Atlantic City, March 30

ALTHOUGH tendered a farewell party upon his resignation as Warner district manager here to go to Florida, where he is to operate an independent circuit, Herbert Copelan is still in town. The dinner was held early in the month, but Copelan failed to reckon with the local draft board. He was given a rating of 1-A. The draft board turned down his request for a six-month deferment so that he can arrange his affairs in Florida, telling him to stay put and stand by.

Stars Will Attend 'Hopkins' Opening

ST. LOUIS, March 30.—Judy Canova and Jerry Colonna of the cast of Republic's "Sis Hopkins," as well as John Wayne, Ona Munson, Donald Barry and Lois Ranson, will attend the world premiere of the film at the Fox Theatre here on Friday. Mayor Bernard F. Dickmann has proclaimed "Sis Hopkins Day" and is cooperating on the opening.

Proceeds of the opening will go to the Greek War Relief. Local radio stations will broadcast the events. William Saal, Republic special representative, is in charge of the opening.

Padula to Direct Play

Edward Padula of the New York Theatre Guild staff will direct George Corey's new play, "Not in Our Stars," for the Experimental Theatre.

LADY FROM NEW ORLEANS
A REPUBLIC PICTURE

JOHN REYNOLDS: "This is no business for a lady . . . likely to be dangerous."
MRS. BRUNOT: "My grandmother was no lady, she defended her home by scalping Indians! When do we start?"

JOHN WAYNE • ONA MUNSON
RAY MIDDLETON • HENRY STEPHENSON
HELEN WESTLEY • Bernard Vorhaus — Director

Ethridge Will Study Papers' FM Ownership

Mark Ethridge, general manager of the Louisville *Courier-Journal and Times,* which operates WHAS, Louisville, on Friday was named chairman of a committee to study conditions relating to newspaper operation of FM stations and the recent FCC order for an investigation and hearing on whether newspapers should be permitted to own FM stations.

The appointment was made at a meeting of about 85 publishers and their representatives of newspapers which either operate standard broadcast stations or contemplate operating FM stations. The meeting itself was independently organized, although the American Newspaper Publishers Association assisted in the call for the meeting.

Ethridge will appoint additional members of his committee and when a report is ready a further meeting of the group will be called. There was some discussion at the meeting of organizing a permanent body, but this issue was referred to the committee.

No date was set for a further meeting but it was regarded as likely that it will be held during the regular A. N. P. A. convention in April.

The FCC in its order of March 19 pointed out that it was taking no position on joint control of newspapers and radio stations but that hearings should be held on whether or not such joint control impaired broadcasting service. The commission has not fixed a date for the hearing.

Although the FCC investigation is limited to FM stations, radio circles believe that it may pave the way for an inquiry on standard band stations. Approximately one-fourth of all applications for FM construction permits were filed by newspaper interests and almost one-third of all standard stations are affiliated directly or indirectly with newspapers.

Games, Racing Bills Voted Down in Conn.

HARTFORD, Conn., March 30.—Horse racing and chance games bills have been defeated in the Connecticut legislature. Exhibitors were especially interested in the games measure, which would have provided that cash prizes be substituted for merchandise in games. Another bill which would permit theatres to introduce cash prize inducements, but containing "no gambling element," is still to be heard.

Ring May Leave FCC

WASHINGTON, March 30.—Andrew D. Ring, a member of the FCC staff since 1932 and now assistant engineer in charge of broadcasting, was reported today to be preparing to resign to enter private business.

Off the Antenna

CHARLES GODWIN, WOR production manager, will manage the station's new FM outlet, W71NY, when the latter starts commercial operation tomorrow. This will be the first FM station in this area to go on the air commercially. Two announcers will be assigned to Godwin to handle FM programs exclusively. The station has had a full engineering crew for some time. The broadcasting schedule will be 8:30 A. M. to 11:30 P. M. daily. Program policy has not been set. The station will operate under a 60-day FCC permit, but expects to have its new high power transmitter ready for operation before the two months expire. The transmitter is at 444 Madison Avenue.

• • •

Purely Personal: H. V. Akerberg, CBS vice-president in charge of station relations, left yesterday for a 10-day trip to Hollywood and San Francisco to discuss network affairs with officials there . . . Bette Davis will be heard on "Your Happy Birthday" over NBC-Blue Friday . . . Toni Poston, secretary to Arch McDonald, WJSV, Washington, sports commentator, will be married Saturday to Ernest McIver, Jr., a newspaperman . . . Virginia Latimer left over the weekend for a Florida vacation.

• • •

Allen J. de Castro will join the CBS sales staff tomorrow to take charge of time sales for the Latin American network which CBS plans to start Sept. 1. De Castro has been active in Latin American advertising and sales since 1917.

• • •

Program News: Gillette Safety Razor Co. will sponsor the Kentucky Derby over 96 CBS stations Saturday, May 3 . . . Barney Clothes, Inc., has renewed its contract for 12 quarter hours weekly in addition to spot announcements over WHN . . . Colgate-Palmolive-Peet will replace "Hilltop House" with the "Story of Bess Johnson" today on the 4:30-4:45 P. M. Monday through Friday spot over CBS . . . Marcus & Co., jewelers, will sponsor the Wednesday "Column of the Air" by Lisa Sergio over WQXR beginning April 2 . . . Jacob Ruppert Brewery will sponsor Dick Fishell's "Sports Resume" over WHN Monday through Saturday 6:45-7 P. M. beginning April 14 . . . Kathryn Turney Garten today starts a series of transcribed dramatic readings to be heard 1-1:15 P. M. Mondays, Wednesdays and Fridays for Saymon Soap . . . Dorothy Kilgallen, columnist, will be sponsored by Johnson & Johnson on CBS 11:30-11:45 A. M. Saturdays, starting this week.

Theatre Changes

Interstate Plans House

DALLAS, March 30.—Continuing its suburban development Interstate Circuit has closed a deal for a site near here and will immediately begin construction on a 700-seat house.

Reopen House in Racine

RACINE, WIS., March 30.—Warners have reopened the State here, as the Badger, with Andrew J. Kenney, formerly assistant to L. S. Stein in the advertising department of the circuit in Chicago, as manager. Ervin Janot, assistant at Warners' Rialto here, has gone to the circuit's Venetian, succeeding Edward Friedwald, in turn transferred to the Warner in Milwaukee. Janot is succeeded at the Rialto by William Bindel, Jr.

Gets Hamrick Ad Post

SEATTLE, March 30.—Edward Kelley has been appointed assistant to Victor Gauntlett in the publicity and advertising department of Hamrick-Evergreen Theatres. He succeeds Edward Rivers, who resigned last week to join RKO.

To Open in Indiana Soon

RICHMOND, Ind., March 30.—Robert Hudson plans to open his new Hudson-State here in mid-April.

Acquires Theatre in Texas

HANDLEY, Tex., March 30.—W. O. Irwin, Jr., has acquired the Handley Theatre from C. C. Walker.

To Reopen 4 Warner Houses

PHILADELPHIA, March 30.—The Warner circuit will reopen four houses in this territory on April 11 and 12. Closed for alterations and improvements, the four houses resuming operation include the Strand and Capitol, York, Pa.; New Warner, Reading, Pa., and the Virginia in Atlantic City.

Shift Sioux Falls Manager

SIOUX FALLS, S. D., March 30.—Ralph E. Phillips, former manager of the State here, has been transferred to manager of the Paramount in St. Cloud, Minn. His successor here has not yet been named.

Leaves San Francisco Theatre

SAN FRANCISCO, March 30.—Graham Kislingbury has resigned from the advertising staff of the Warfield, Fox West Coast house, to succeed Charles Huy as advertising and publicity man at the Golden Gate. Huy has gone to Hollywood.

Redecorate Indianapolis House

INDIANAPOLIS, March 30. — The Daisy, local neighborhood house, has reopened after being closed for redecorating. Glenn Schnarr is manager.

Mills Appoints Morgan

HOLLYWOOD, March 30.—Irving Mills, president of Mills Music Co., over the weekend appointed Ken Morgan, newspaperman, as manager of the Hollywood office.

CBS Adding Four; Outlets Total 127

Four stations are scheduled to be added to the CBS list of affiliates within the next five weeks, it became known over the weekend, including one in the Philippine Islands. These will bring the number of CBS affiliates to 127.

The Manila station is KZRM which operates with 50,000 watts on 618 [illegible]ds. No station rate has been set. It is the first CBS affiliate east of Hawaii, although NBC recently announced two affiliates in the Philippines. KZRM probably will operate by using transcriptions of programs broadcast over CBS.

Other stations are WMBS, Uniontown, Pa., 1,000 watts on 590 k.c. with $125 per evening hour as basic rate; WERC, Erie, Pa., which will go on the air for the first time in about two weeks on 1,490 k.c. with 250 watts day and 100 watts night, basic rate $125 per evening hour; and WKWK, Wheeling, W. Va., which goes on the air about May 2 with 100 watts on 1,400 k.c., basic rate $100 per evening hour. The last named station replaces WWVA as the Wheeling outlet for CBS.

WSBT, operated by the South Bend, Ind., *Tribune,* CBS outlet in that city, went to full time operation Saturday after a frequency change to 960 k.c. It is now operating with 500 watts day and 250 night but has a construction permit for full time operation at 500 watts.

Ascap Radio Group Finishing Contracts

The Ascap radio committee is scheduled to complete work this week on preparation of contract formulae for networks, which will be submitted to the National Association of Broadcasters and the Mutual Broadcasting System as soon as they are completed.

If the formulae are ready on schedule, there is a possibility that negotiations with the networks will begin late this week. It is believed, however, that the negotiations are more likely to start some time next week, since the Ascap board may suggest changes in the formulae after the committee completes its work.

Seek New Stations in Scranton and Houston

WASHINGTON, March 30.—Construction permits for two stations were asked Friday of the FCC by George G. Brooks, Jr., for a 1,370 k. c., 250-watt station at Scranton, Pa., and by the Greater Houston Broadcasting Co., Inc., for a 1,230-k. c., 250-watt outlet at Houston, Tex.

WOSU, Columbus, O., asked for a change of frequency from 570 to 880 k. c. and increase of power from 1,000 to 5,000 watts; KDAL, Duluth, Minn., from 1,500 to 610 k. c. and from 250 to 1,000 watts. Other power increase requests filed were WFBR, Baltimore, from 1,000 watts to 5,000; WROL, Knoxville, Tenn., 500 to 1,000; KRNR, Roseberg, Ore., night 100 to 250; WAOV, Vincennes, Ind., 100 to 250; and KGVO, Missoula, Mont., night from 1,000 to 5,000.

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